

DRAFT Town of Fairfax Planning Commission Minutes
Fairfax Women's Club
Thursday, December 17, 2015

Call to Order/Roll Call

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

COMMISSIONERS PRESENT: Bruce Ackerman
Norma Fragoso
Philip Green (Chair)
Laura Kehrlein (Vice-Chair)
Mimi Newton

COMMISSIONERS ABSENT: Esther Gonzalez-Parber
Shelley Hamilton

STAFF PRESENT: Garrett Toy, Town Manager
Jim Moore, Planning Director
Linda Neal, Principal Planner

APPROVAL OF AGENDA:

M/s, Fragoso/Kehrlein, Motion to approve the Agenda:

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

PUBLIC COMMENTS ON NON-AGENDA ITEMS

No one came forward to speak.

CONSENT ITEMS

1. **2 Maiden Lane; Application No. 15-37:** Request for a Design Review Permit for a 40 square foot kitchen addition onto a 3,216 square foot, 5 bedroom, 3 ½ bath, single family residence increasing it to a 3,256 square foot structure; Assessor's Parcel No. 174-210-07; Planned Development PDD Zone District; Pamela Hayes, Designer; Glenn and Laura Miwa, owners; CEQA categorically exempt, §15301(e).

2. **1906 Sir Francis Drake Boulevard; Application No. 15-34:** Request for modification of a Design Review permit to change the approved exterior color palette for an existing commercial space that will soon be opened as a tattoo studio; Assessor Parcel No. 001-223-19; Central Commercial CC Zone District; Majid Mahani, owner; Adam Roach and Nathan Gonzalez, applicants; CEQA categorically exempt, § 15301(a).

M/s, Newton/Kehrlein, Motion to Approve Consent:

AYES: Ackerman, Fragoso, Green, Kehrlein, Newton

ABSENT: Gonzalez-Parber, Hamilton

Chair Green announced the appeal rights.

PUBLIC HEARING ITEMS

3. **Ordinance – Regulating the Cultivation of Medicinal Marijuana:**
Discussion/consideration of an Ordinance Adding a New Article III ('Medical Marijuana Cultivation') to Chapter 17.138 ('Regulations Applying In Multiple Zone Districts') Regulating the Cultivation of Medicinal Marijuana in Multiple Zone Districts; Affects properties throughout the Town; Categorically exempt, from CEQA per 14 C.C.R. §15307 and 15308, as an action taken by a regulatory agency for the protection of natural resources and the environment.

Town Manager Toy presented the staff report. He provided background information on Bills relating to Medicinal Marijuana and noted that the State has set a deadline of March 1, 2016 by which time municipalities need to have adopted an ordinance in order to maintain control. Mr. Toy discussed the process for adopting an ordinance, noting that the Town Council has provided staff and the commissioners with guidance on how they might envision the ordinance. He noted that the overall goal is to maintain control, which Mr. Toy discussed.

Mr. Toy said the Council would like to prohibit the cultivation of commercial marijuana, which he discussed. However, the Council indicated that they would allow the cultivation of marijuana for personal use for qualified patients, for outdoors and based on the number of plants, rather than square footage, which he discussed.

Mr. Toy said the Council discussed limiting the number of outdoor plants to 18 mature plants per parcel, but did not set minimum distances. Mr. Toy discussed Councilmembers' deliberations on limiting planting to the side and rear property, plant height and fencing. Mr. Toy also discussed their deliberations on providing ownership identity of plants that are being raised by the caregiver.

Mr. Toy noted that the proposed ordinance provides for exceptions and that staff is recommending a staff level approval process with appeal to the Planning Commission and Town Council for a more streamlined process.

Mr. Toy said the proposed ordinance bans indoor cultivation of plants with certain exceptions for safety reasons and that the proposal is to limit the number of indoor plants to 3. Mr. Toy noted that the Town can revisit the Ordinance once it is in place but that staff recommends a draft ordinance is approved by the Town Council before March 1st.

In response to Commissioner Fragoso, Mr. Toy noted that a reference in the Attorney's memo to limiting the number of indoor plants is included in the draft ordinance under section G.

In response to Commissioner Newton, Mr. Toy noted that the Town should not exceed the limitations set by the State for the area in which medicinal marijuana can be grown, but that the Town can require less space to be used, which he discussed. They discussed triggers for the permitting process, including an exception to allowing more than 18 outdoor plants per parcel.

Commissioner Newton asked staff if research had been undertaken regarding plant yields. Mr. Toy said there has been no research, and Commissioner Newton expressed a wish to understand approximately how many plants can be grown within the growing area allowed on a parcel. Commissioner Fragoso said she understood approximately 10 good sized plants could be cultivated on 100 square feet, perhaps yielding 2oz – 3 oz of marijuana depending on type.

Chair Green said that Federal Law classifies marijuana as a Class 1 drug and State Law allows for up to 12 plants. He noted that the proposed ordinance is suggesting allowing 6 additional plants. In response, Mr. Toy said that 18 appeared to be the number agreed upon by Councilmembers.

Chair Green and Mr. Toy discussed the Council's decision not to restrict the cultivation of plants near schools, hospitals, etc., unlike other jurisdictions. Mr. Toy said Council was concerned that many residences in town would not be able to grow marijuana based on those restrictions because the Town is small. However, he noted that the commissioners could still make a recommendation and Chair Green said he would recommend the growing of plants to be restricted to 100 feet from schools, playgrounds, etc, due to the odor.

Commissioner Ackerman noted a discrepancy in the proposed ordinance that was corrected. He said he agrees with Council's recommendations that limitations are set by the number of plants rather than square footage. However, Commissioner Ackerman sought clarification on Council's intent to allow a caregiver to grow, perhaps, up to 90 plants based on the State's limitation of 500 square feet. In response, Mr. Toy said that the intent of the ordinance is to allow up to 18 plants to be grown outdoors, regardless of the amount of space, without needing an exception.

Commissioner Ackerman noted that it is easier to loosen an ordinance, rather than trying to tighten the restrictions, once it is in force. He therefore recommends restricting the area of planting to less than suggested. Mr. Toy noted the Council did not get into the specificities of whether 500 square feet is too much space, and he noted that staff set the parameters based on State law. He said that the commissioners could recommend that less space is allowed for growing plants. Commissioner Ackerman discussed his understanding of how the Councilmembers arrived at a number of plants they considered suitable, and believes that 18 was the upper end of what was thought acceptable. Chair Green suggested that the Town should be guided by State law. Commissioner Ackerman noted that the Town could outlaw the growth of medicinal marijuana if it so wished and review the matter at a future date.

In response to Commissioner Newton, Mr. Toy confirmed that the cultivation of marijuana is not specifically referred to in the General Plan.

Chair Green opened the public comment period.

Lynette Shaw, former owner of Marin Alliance, said that she is sad to know that people who have been safely and quietly growing marijuana in their backyards might have them dismantled because the law limits the amount of space that can be used. Ms. Shaw discussed her experience of growing plants in relation to marijuana yields, which she said is not great. Ms. Shaw said that they are trying to fix something that is not broken and that the proposed ordinance is over-reaching.

In response to Commissioner Fragoso, Ms. Shaw discussed the amount of space that can be required for 99 plants, size of the plants and yield.

Chair Green noted that the Town has been mandated by the State to draft a set of regulations by March 1st.

Charles Kuhn, referred to "Drinking in America", a book relating to the attempts to control drinking. He noted that the Town is not required to be more conservative than State Law, and he disagreed with the attempt to regulate by the number of plants, which he discussed. He commented on the difficulty of producing plants successfully and noted that indoor growing is favored because it is more controlled. Mr. Koon said the process is not easy and that recreational marijuana will also be an issue in the future.

Chair Green closed the public comment period and repeated his wish that growing areas should be located 100 feet from a school or playground, etc.

Discussion took place on using language from State law that allows an exception, granted administratively, for caregivers and individual cultivators to grow more plants than the code allows if a physician confirms that the maximum amount is insufficient for their needs. Commissioner Fragoso discussed the reasons she believes that the number of plants allowed to be cultivated should be limited to 12 mature plants, and Mr. Toy noted that the language allowing for the exception has already been incorporated into the draft ordinance.

Vice-Chair Kehrlein said that she believes legislation has been brought forward due to the environmental impacts of outdoor growing and that she questions whether the intent of the Town Council is to make the Town's ordinance more restrictive than the State's regulations. Vice-Chair Kehrlein added that she would not like to think Fairfax is more restrictive than the State, and that she is not opposed to indoor cultivation. Vice-Chair Kehrlein said there are cases where indoor cultivation is preferable to outdoor cultivation (for security reasons for example), and that, although she believes guidelines should be set in relation to ventilation and electrical requirements, Vice-Chair Kehrlein said the Town should not ban indoor cultivation.

Vice-Chair Kehrlein discussed the number of plants that should be allowed on a site and noted that we have heard during the public comment period that it can be advantageous to scatter them on a site. She believes that the number of plants should be restricted to 6 plants per person, if it is reasonable to assume there may be 4 persons living at a residence. She said she is not clear about the administrative process, which she believes needs more work. Furthermore, Vice-Chair

Kehrlein believes that accessory spaces and garages, which are not proposed to be used as places to cultivate plants, are often better suited for indoor cultivation, which she discussed.

Commissioner Newton said she disagrees with many of the issues raised by some Councilmembers, and that she agrees with Vice-Chair Kehrlein's comments relating to indoor and outdoor cultivation, and noted that the General Plan discourages using outdoor space for cultivation. She said she does not favor a ban on indoor cultivation and that it feels "Unfairfaxian" to restrict the cultivation of marijuana beyond what is allowed by the State. She believes that restricting the cultivation of plants to 100 feet and 500 feet is appropriate, but that restricting the number of plants is not appropriate. She said that restrictions should only apply through the building code and State regulations and that, furthermore, commercial cultivation should be agendized for discussion by the Town Council. Commissioner Newton said that commercial cultivation is important in supporting small businesses in Fairfax and that indoor growth can be undertaken responsibly, which she discussed.

Commissioner Newton said that to ban cultivation, rather than allow it, is a mistake. She said that, if she were to choose a maximum number of plants that can be cultivated on a lot, she would support 90 for caregivers (i.e. 18 x 5) and 18 plants per person, and agrees that there should be a streamlined process. Commissioner Newton said there is contradiction between the General Plan's rules to preserve open space, while banning indoor cultivation, and that she would like Councilmembers to reconsider allowing indoor cultivation. She noted that people without outdoor space would be affected.

Commissioner Newton said that water and pesticides are of concern, but that she would not want to place location limitations for cultivation with regard to schoolyards and playgrounds etc. She said that rules relating to fencing and screening of plants are sufficient, and that too many people would be impacted were there to be location limitations. Commissioner Newton said that people should be allowed to continue doing what they have always done, and that the number of plants allowed to be cultivated should be a high number or unlimited for reasons she explained. She said that, by restricting growers, the issue is pushed underground and becomes dangerous in terms of electrical and fire issues, which she discussed.

Chair Green said he supports the basic ordinance with modifications to the number of plants that can be cultivated and that he supports indoor cultivation.

Planning Director Moore noted that the Commissioners must find consensus with regard to the number of plants that can be cultivated, noting that there appears to be general agreement that the ordinance should be as lenient as the State allows. Mr. Moore also noted that the commissioners appear to be recommending that the cultivation of indoor plants will not be restricted, and might perhaps reach a consensus on the maximum number of plants allowed, and whether growth should be restricted in areas where there are children, such as a play area or school.

Commissioner Newton discussed her understanding that State law limits the area where plants can be cultivated and not the number of plants. Commissioner Fragoso expressed her agreement with allowing indoor cultivation for reasons she discussed.

Mr. Toy explained the reasons why staff suggested the ordinance incorporates maximum numbers of plants that can be cultivated.

Chair Green said he is inclined to approve the resolution recommending the Town Council adopt the ordinance, with the commissioners' strong recommendations to allow indoor cultivation with limitations, and a recommendation that plants not be cultivated within a certain area near school yards or play grounds.

Commissioner Fragoso led a discussion on fence height, which she thought should be higher than 6 feet since marijuana plants can be taller. Mr. Toy noted that a fence that is higher than 6 feet would require a permit and discussed the rationale behind fencing-in cultivated plants on a property. Ms. Neal noted that cultivation should not occur in areas that are visible from a public street.

Commissioner Newton said she believes that if electrical and venting codes are met, then she believe that a permitting process to approve indoor cultivation is unnecessary. She noted that the Town Council, at their meeting, did not want to draft a check list of what the Building Inspector should inspect.

Discussion took place on a 100-foot radius Chair Green believes should be maintained around children's play areas and schools. Chair Green referred to an ordinance passed by the City of Healdsburg and discussed his concerns regarding ethers resulting form cannabis and possible harmful effects. Most of the commissioners believed the restriction is unnecessary and Mr. Moore noted that the issue would be reviewed by the Town Council.

Chair Green discussed adding a regulation to ensure a physical inspection takes place for indoor cultivation and Commissioner Newton noted that the definitions include the need for the cultivated area to be fully enclosed with restrictions, which could be applied to the ordinance, to which there was general agreement. Commissioner Ackerman said indoor cultivation should be restricted, if at all possible, for reasons connected with energy use. He commented on the problem of trying to regulate a practice that cannot necessarily be regulated.

Mr. Moore noted that the Town responds to complaints and that inspections take place when a property is sold. He noted that there appears to be general agreement to recommending that the Town Council consider allowing indoor cultivation, taking into account energy consumption, but be lenient on the number of plants allowed, and that indoor cultivation should not be an exception.

Vice-Chair Kehrlein suggested striking the parameters in the draft ordinance where cultivation takes place, to which there was general agreement. Mr. Toy discussed the reasons why the draft ordinance has been drafted the way it is presented, which he noted is related to the general consensus amongst the Councilmembers that cultivation should be banned with some exceptions.

Commissioner Newton said she disagrees with indoor cultivation being declared unlawful and that she would support the inclusion of lawful indoor cultivation. Commissioner Newton said

that Fairfax should favor cultivation, to which Commissioner Fragoso and Vice-Chair Kehrlein expressed their agreement.

Chair Green noted that the State law establishes a ban on cultivation unless it is licensed, which he believes should be copied by Fairfax.

Commissioner Ackerman and staff discussed the way forward. Mr. Moore suggested that the Resolution is passed and staff would discuss the Commissioners' preference in the staff report for leniency with regard to the number of plants allowed to be cultivated under State law, reconsider indoor cultivation with caveats, and add a statement about Fairfax' philosophy and progressive stand on the cultivation of marijuana.

Chair Green and Mr. Toy discussed the best option to incorporate the Commissioners' view that an outright ban should not be included in the ordinance and that consideration should be given to limited indoor cultivation, with an exception perhaps being granted if a request is made for a number of plants beyond the amount allowed. Mr. Toy suggested that the resolution is adopted and that staff will explain the issues the commissioners would like the councilmembers to discuss in the staff report.

Commissioner Fragoso made a motion to adopt the Resolution, but there was no second.

Vice-Chair Kehrlein sought clarification from Mr. Toy on the method of communicating the commissioners' views on the ordinance to the Town Council. Mr. Toy confirmed his suggestion that the key issues will be discussed in the staff report, including an affirmative statement on allowing cultivation, but not added to the resolution. Discussion amongst the commissioners and staff took place about the suitability of this method of transmitting the commissioners' beliefs. Mr. Moore suggested adopting the resolution as written, in the knowledge the ordinance will be subject to debate and staff has been provided with guidance on the commissioners' discussions.

M/s, Fragoso/Newton, Motion to adopt Resolution # 15-40 recommending the Town Council adopt the Ordinance with the recommendations made by the Planning Commission.

Vice-Chair Kehrlein said she would abstain from voting because she has reservations about the method proposed to express the commissioners' comments to the Town Council. She said she does not support the proposed ordinance as written and said it needs major revisions.

A discussion took place on the way forward and Mr. Moore suggested the resolution is amended to reflect the commissioners' conclusions.

M/s, Fragoso/Newton, Motion to adopt Resolution # 15-40, recommending the Town Council adopt the Ordinance with the following amendments:

WHEREAS The Planning Commission recommends that the Town Council revise the ordinance to delete references to banning cultivation and express Fairfax' tradition of supporting cultivation;

WHEREAS The commission supports indoor cultivation as a right, with the safety parameters listed in the draft ordinance, in an appropriate structure;

WHEREAS The Planning Commission recommends that the Town Council consider revising the ordinance to be more lenient in terms of the volume of plants that may be cultivated per parcel, and to consider the logic of permitting qualified caregivers more volume of plants since their square footage is larger.

AYES: Fragoso, Green, Kehrlein, Newton,
ABSTENTION: Ackerman
ABSENT: Gonzalez-Parber. Hamilton

Chair Green announced a 10-minute break at 9:30 p.m

4. Ordinance – Junior Second Units: Discussion/consideration of an Ordinance Amending Chapter 17.048, Residential Second Units, Chapter 17.076, RS 7.5 Single Family Residential Zone, Chapter 17.084, RD 5.5-7 Residential Zone, Chapter 17.080, RS-6 Single Family Residential Zone, Chapter 17.116, SF RMP Single Family Residential Master Planned District and Chapter 17.124, UR Upland Residential Zone, of Title 17, Zoning, of the Fairfax Town Code to allow and regulate Junior Second Units within existing single family residences; Categorically exempt from CEQA per 14 C.C. R. §15301 as the ordinance contemplates the minor alteration of existing residences involving negligible or no expansion of the use beyond that already in existence.

Planning Director Moore presented the staff report. Mr. Moore discussed Junior Second Units (JSUs) in relation to the 2015 Housing Element, which he noted calls for the adoption of zoning standards and to incentivize the creation of junior second units. Mr. Moore discussed the standards that should be considered, including a maximum room allowance of 500 square feet and no building expansion. He said that internal and external access to the home would be necessary and approval would be on a ministerial basis.

Mr. Moore discussed JSUs in relation to the existing regulations for residential second units. He discussed the impediments to creating second units, including meeting on-site parking requirements and hook-up fees for water and sewage lines. Mr. Moore noted that there have only been 3 formally permitted second units between 1999 and 2014. He said that the JSU ordinance should mitigate the costs associated with creating second units. Mr. Moore explained that the draft ordinance is modeled on Novato's ordinance.

Mr. Moore noted that, since a JSU would not result in an additional bedroom, additional parking restrictions is unnecessary beyond the requirements for a single-family home. He said that the Department for Housing and Community Development has indicated that they are willing to count JSUs towards the Town's RHNA if the unit has a second bathroom.

Mr. Moore discussed fee reductions and he noted that the water and sewer districts have indicated that they will not impose fees if the JSU is not separate from the main house. Mr.

Moore noted that the Planning Department would like to determine what is involved in an over-the-counter process before assessing fees.

Mr. Moore noted JSUs are exempt from CEQA review and he confirmed that staff is recommending the commissioners approve the attached resolution recommending the Town Council adopt the draft ordinance.

In response to Commissioner Ackerman, Mr. Moore said that a JSU must have its own entry from the exterior. He confirmed the entry cannot be shared with the remainder of the dwelling. He also confirmed that the JSU would need to have a separate, unshared bathroom in order to qualify for the Town's RHNA.

Commissioner Ackerman and Mr. Moore discussed inspections that are included in Novato's ordinance. In response to Vice-Chair Kehrlein, Mr. Moore said he believed the inspections are discretionary. He confirmed that staff is suggesting the process for approving JSU is ministerial if all the requirements are met. The applicant could then apply directly for a building permit.

Vice-Chair Kehrlein suggested that a minimum room requirement of 150 square feet seems high, if a bedroom can be 64 square feet under the building code. Mr. Moore noted that the difference is that a JSU would be an efficiency unit, but he said the commissioners might wish to recommend a lower minimum sized room.

Chair Green suggested a language change under the parking section relating to legal, non-conforming structures. In response, Mr. Moore said it is staff's belief that the same parking standards should apply that existed when a dwelling was constructed (if standards existed at the time). He said that the purpose of the JSU is to make better use of empty bedrooms, which he discussed. Mr. Moore noted that the law does not restrict the number of persons in a home to fewer than 2 per bedroom and, thus, parking impacts could potentially exist under many circumstances. He confirmed that additional parking is not a requirement.

Chair Chase opened the public comment period.

Rachel Ginis, Lilipad Homes, explained that her organization facilitates the development of second units. Ms. Ginis commented on the need for exterior access and noted that ancillary spaces could be used as JSUs. Ms. Ginis noted that an efficiency unit could be larger than 500 square feet and she discussed her preference that a renter-occupier should be able to rent a JSU to another renter. Ms. Ginis also discussed a deed restriction in relation to JSUs and noted the difficulty of enforcing a deed restriction. She discussed the benefits of a renter being able to rent out a JSU, noting that it would offer more rental options.

Mr. Moore note that, under the proposed ordinance rules, either the JSU or main home could be renter-occupied for reasons he explained. Chair Green thought that a renter should be allowed to sublease part of their home. Commissioner Fragoso discussed the reasons she disagreed, noting that one of the main purposes of the ordinance is to help owner-occupiers, and not create multiple rental units in a single family home.

Mr. Moore noted that owner-occupiers are often thought more responsible than renters. Commissioner Newton discussed the reasons why she disagreed with this point of view.

In response to Commissioner Ackerman, Mr. Moore noted that a home owner could install an exterior door in a bedroom, but that it would be illegal under the current code to install a wet bar. Mr. Moore said that a deed restriction would require a homeowner to either live in the main house or the JSU so as to avoid both units being rented out at the same time. Discussion amongst the commissioners took place on whether they agreed that the JSU or main house should be owner-occupied. Mr. Moore noted that the ordinance for second units stipulates that the owner needs to be an occupier. He said that the deed restriction could be abated by the removal of the kitchen/wet bar. Mr. Moore noted that the purpose of JSUs is to allow an owner to augment their income while providing affordable housing.

M/s, Kehrlein/Fragoso, Motion to adopt Resolution #15-38, recommending that the Town Council adopt an ordinance allowing Junior Second Units:

AYES: Ackerman, Fragoso, Green, Hamilton, Kehrlein
NOES: Newton
ABSENT: Gonzalez-Parber, Hamilton

- 5. Ordinance – Amending Emergency Shelter On-site Management Provisions:** Discussion/consideration of an Ordinance of the Town of Fairfax Amending Section 17.148.010 (‘Emergency Homeless Shelter Standards’) of Title 17 (‘Zoning’) of the Fairfax Town Code; Specifically the Ordinance proposes amending the on-site management provisions pertaining to emergency shelter operation; Affects properties located in the Central Commercial (CC) and Public Domain (PD) Zone Districts; Categorically exempt from CEQA per 14 C.C.R. §15301(b)(3), because the amendment of on-site management provisions will have no impact on the environment.

Planning Director Moore provided background information on the Ordinance in relation to the 2015 Housing Element that was adopted in May 2015. He explained that the State thought the language in the ordinance gave the Planning Director discretion over the management plan, which by law must be non-discretionary. Mr. Moore discussed the amendments made to the language by the Town Attorney and said that HCD has confirmed the draft language is sufficient. Mr. Moore noted that the next step in the process will be re-zoning, which he discussed.

Chair Green requested definitions of certain terms with which he said he had no familiarity. Commissioner Fragoso discussed her familiarity with such language, noting that it is standard for emergency shelters. She said it is critical that there be neighborhood liaison for reasons she explained, and she discussed the need for the homeless to have services.

Mr. Moore discussed assistance for homeless persons that the State stipulates must be incorporated into the ordinance.

Chair Green and Mr. Moore discussed the zones where emergency shelters are allowed and the maximum number of persons that need to be accommodated, which he noted is based on the census.

M/s, Fragoso/Kehrlein, Motion to approve Resolution #15-39 amending section 17.148.010 ('Emergency Homeless Shelter Standards') of Title 17 ('Zoning') of the Fairfax Town Code:

AYES: Ackerman, Fragoso, Green, Kehrlein, Newton,
ABSENT: Gonzalez-Parber. Hamilton

APPROVAL OF MINUTES

6. Approval of minutes from the November 18, 2015 meeting

Page 4: "...Chair Green suggested an additional condition that there must be a sign notifying the public that no one under the age of 18 can be admitted." Amended to read:

"...Chair Green suggested an additional condition that there must be a sign notifying the public that no one under the age of 18 can be admitted based on California Penal Code Section 653".

Vice-Chair Kehrlein noted that she was not present for items 1 and 2 and, therefore, could not vote.

Page 1: "Normal" amended to read "Norma".

M/s, Newton/Ackerman, Motion to approve the minutes of November 18, 2015 as amended:

AYES: Ackerman, Fragoso, Green, Kehrlein, Newton,
ABSENT: Gonzalez-Parber. Hamilton

7. Zoning Ordinance Updates: schedule to address zoning code amendments.

Due to the lateness of the hour, discussion did not take place.

PLANNING DIRECTOR'S REPORT

Planning Director Moore said that discussions will take place at the January 21, 2016 meeting on an ordinance converting Highway Commercial (HC) to Central Commercial (CC). Mr. Moore said that staff would also like to dedicate a time-certain segment for a Wall Property workshop. He said that Mr. Rothman is proposing to discuss his plans for a tentative subdivision and his proposal for sequencing the development.

Mr. Moore reported that an application for developing the Lutheran Church site is expected in February or March. He noted that, if the Town has not converted the zoning to PPD at that time, then they propose to rezone that site, and those at 10 Olema and School Street Plaza, which is

called for in the 2015 Housing Element. Mr. Moore explained why the Town would finance the rezoning.

Mr. Moore reported on future planned workshops to create the Town Center Plan, including the possible use of Bolinas Avenue as a permanent or part-time pedestrianized area, and managed parking.

Commissioner Newton reminded Mr. Moore of the parties that should be notified of the Wall Street workshop meeting.

COMMISSIONER COMMENTS AND REQUESTS

Chair Green noted that a new chair should be elected.

Commissioner Fragoso provided an update of water conservation and creek maintenance informational forums she is organizing. Commissioner Fragoso noted that a presentation on creek maintenance will be scheduled for the County Resource Conservation Group in February.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 11 p.m.

Respectfully submitted,

Joanne O’Hehir