MILL VALLEY PLANNING COMMISSION <u>DRAFT</u> MINUTES

REGULAR MEETING OF MONDAY, JULY 22, 2013

COUNCIL CHAMBERS, CITY HALL, 7:00 PM

26 CORTE MADERA AVENUE

PLANNING John McCauley – Co-Chair COMMISSION Heidi Richardson – Co-Chair MEMBERS: Steve Geiszler – Vice-Chair

> Chris Skelton Ricardo Capretta

CALL TO ORDER

ORAL COMMUNICATIONS: Time for comments from members of the public on issues not on this Planning Commission agenda. (Limited to 3 minutes per person.)

PLANNING AND BUILDING DIRECTOR'S ORAL REPORT: Report on items being considered by the City Council.

LIAISON REPORTS: Commissioner Capretta

APPROVAL OF MINUTES: JULY 8, 2013 - Continued

APPROVAL OF AGENDA: It was motioned by Commissioner McCauley to approve the agenda. The motion was carried 5/0

PUBLIC HEARING:

1. Draft Mill Valley 2040 (MV2040) General Plan, Draft 2009-2014 Housing Element and Draft MV2040 General Plan Environmental Impact Report (DEIR)

A. Introduction:

Presentation and overview by staff of the draft General Plan, Housing Element and DEIR and the public hearing process before the Planning Commission.

B. Public Comment on the Draft MV2040 Environmental Impact Report (DEIR):

The California Environmental Quality Act, CEQA, requires a 45-day public comment period on a draft environmental impact report. The public comment period for the DEIR for the MV2040 General Plan and 2009-2014 Housing Element runs from July 10, 2013 to August 26, 2013. Comments on the DEIR may be provided in writing at any time

during the comment period. Oral comments on the DEIR may be made during this portion of the public hearing. Time for public comment on the DEIR will be provided on the agenda during each of the scheduled Planning Commission public hearings on the MV2040 General Plan and 2009-2014 Housing Element.

PUBLIC COMMENT ON THE DRAFT EIR:

Name	Page	Comment(s)
Laura Chariton,	Global	Not enough time to read prior to hearing. The hearing is scheduled too close to the date
Water Alliance of		of release of the Draft EIR, not enough time to prepare a comprehensive response.
Marin		
Joyce Britt, Mill Valley Streamkeepers (2:02)	Global	Comments are preliminary as we are early in the 45-day public review comment period. Will submit written comments. Streamkeepers submitted a comment letter for the Notice of Preparation (NOP). In the
		letter mentioned specific enforcement mitigation measures to mitigate for development in hillsides and floodplain. EIR excluded "forests" as not seen as a significant impact. Disagree that forest not a significant impact.
		Cumulative impacts missing. References to Stetson Report; Miller Avenue also missing as these will have significant impacts.
		Program EIR does not exclude additional environmental reviews for specific projects.
		Decline of steelhead not mentioned.
Nonna Dennis, 53		No mention of Sudden Oak Death in the DEIR.
Marlin(2:01)		
Laura Chariton (2:11)		1989 General Plan EIR mentions 50-foot setback, so the 30-foot setback is in conflict with the existing General Plan

PUBLIC COMMENT ON THE DRAFT MV2040 GENERAL PLAN:

Name	Page	Comment(s)
July 22, 2013 Hearin	ng: Focus on Na	atural Environment (NE), Community Vitality (CV), Climate Action (CA) and Noise (N)
N. Teresa Rea, MV2040 Art Subcommittee and Arts Commission Chair	76	Regarding requested change in Arts letter under "ART.6"—would like to keep "ensure adequate" as it is stronger language and needed for arts funding. It is an aspirational term. "Consider expanding" is weak language and would like to see "develop" in the language instead. Intend to agenize letter at the upcoming Arts Commission meeting.
Lucy Mercer, 15 Wilkins	76	Regarding requested change in Arts letter under "ART.6" – aspirational goal for the next 30 years. The word "ensure" would be a goal whether there are adequate funds every year, is another matter. Still will be the purview of the City to determine funding for all city services.
Ken Brooks, 15 Bernard, Vice- Chair of MV2040 Community Vitality Working Group and Arts Subcommittee, and Chamber of Commerce Board	76	Regarding requested change in Arts letter under "ART.6" since MV2040 is an aspirational document, thought it would be appropriate to use "ensure" as it would mean more. This wording was discussed at great lengths with the arts subcommittee group as well.
Ken Brooks (see above)	71	CV.1 The intent of the requested changes is to step back from any forethought of knowing the exact mix of businesses in town.

Nonna Dennis, 65	NE	Did mapping for the General Plan in the 70's. Gap in the plan related to the natural
Marlin		environment. In the last General Plan we focused on the native vegetation – in the urban
		woodland. Looking through draft MV2040 General Plan text and graphics, see no
		discussion of what we live in other than the creeks. The other surrounding natural
		environment not described. Understanding what is in Mill Valley within the urban
		community. Sensitive resources are not depicted nor how to protect or restore these
		sensitive resources. No mention of Sudden Oak Death in the NE section nor EIR. Will
		submit written comments.
Laura Chariton (2:10)	NE	Passed out flyer on educational seminar.
		Improve upon the heritage tree ordinance. Take a serious look at maintaining trees in MV,
		and modifying ordinance to include smaller trees.
		Mapping falls short in illustrating existing conditions. County planning much more
		complete.
		The 30-foot setback was established at a minimum to filter water, and retain water and
		provides shelter for wildlife habitiat. SF Regional Water Board recommends a 50-foot
		setback and the 1989 General Plan EIR mentions 50-foot setback. This is a conflict with
		the existing General Plan
Betsy Bikley (2:12)	NE	Figure 5.1 Coyote Creek not Reed Creek
		Figure 5.3 Warner Creek needs to be labeled. Sutton/Manor Creek and Ryan Creek not on
		map.
Cynthia Koehler	NE	Letter submitted to Planning Commission. Represents Mill Valley on the MMWD Board.
		Thought that the goals would be useful to call out the watersheds in particular, would be
		useful. Graywater is a particular project MMWD is working on, and would like to see it
		incorporated into NE.4-1 and NE.4-2.
Laura Chariton	CA	Greenhouse gas table does not include conservation / ecosystems that provide
		sequestration. Different biomes provide carbon sinks – tidal marshes, redwood forests,
		costal scrubs such as native grass. Planning Commission directed staff to elaborate / define
		those bullets outlined on page 110.

C. Planning Commission Review of the Draft MV2040 General Plan:

The Planning Commission will be reviewing the Community Vitality, Natural Environment, Climate Action and Noise Elements at this meeting. At the conclusion of the Planning Commission review of each Element, the Commission will take public comment.

Planning Commissi	Planning Commission Discussion: WRITTEN COMMENT LETTERS				
Chamber of	64	Written Comment Letter/Chamber July 16. Planning Commission reviewed proposed			
Commerce		changes in letter with Planning Commission modifications noted below.			
(July 16 Letter)					
		Planning Commission agreed with adding first point, modifying suggested additional			
		language replacing "implemented" with "advocated for"			
		Planning Commission agreed to add "transparent" to second point, but not add any other			
		suggested language in the letter. "Create the transparent operational, informational and			
		regulatory framework to attract"			

Art (July 18 Letter)	74-78	Written Comment Letter/Art. Agreed with the suggested changes noted in the letter with the following modifications to the letter. Accept proposed changes in letter with modifications noted below. ART.4 Strike "independent" from suggested language ART.6 Strike "ensure adequate" and change back to "support adequate" as in current MV2040 Draft document.
Art	63-34 CV	Revise introduction on pages 63-64. <i>Planning Commission approved changes noted in</i>
(July 18 Letter)	Intro	letter.
Art	69	Revise "trends to watch" on pages 69. Planning Commission approved changes noted in
(July 18 Letter)		letter.
Cynthia Koehler,	NE	Planning Commission requested that additional goals noted in first point of the letter be
(July 22 e-mail)		incorporated into existing bullets (2&3) on page 80. Planning Commission accepted other
	80 and 100	changes in the letter referencing greywater (page 100).
Cynthia Koehler	Climate	Language in letter should be Low-flow fixtures (not high efficiency appliances). Planning
(July 22 e-mail)	Action	Commission directed staff to incorporate comments under NE and CA so not repetitive.
Phyllis Farber	NE	Some of the letter has to do with code enforcement and should follow up with the recipient.
		Planning Commission noted that on Page 98 NE.2-3 mentions "provide access to
		designated open space areas along Richardson Bay and creek corridors consistent with
		preserving habitat and protecting threatened or endangered species." Follow up to
		recipient to indicate how this is being implemented. There was also a note in the letter
		that mitigation that was supposed to be done for the Community Center but was never
		completed; Planning Commission requested to follow up with recipient on the mitigation
	1	issue.

Planning Comn	nission Discussion:	NATURAL ENVIRONMENT
Richardson	98	NE.2-6. Is the City going to review the 30 foot setback and more specific in relation to the
		actual areas in town near/abutting the creek? Public access opportunities?
Richardson	98	Addressing housing over water in Shelter Bay/ sea level rise and FEMA floodplain
Capretta	99	Better clean and filter creek before goes into storm water?
		NE.3-6 Addresses this issue. The City is also working with MCSTOPP to address run off
		and guideline changes to meet national permitting requirements.
McCauley	101	NE.4-2 Enhance language to capture source pollution/ slow runoff / sedimentation on
-		public and private properties.
McCauley	101	NE.4-2 second bullet modify to read:
		Partner with MMWD, conservation organizations, installers, and manufacturers to promote
		the installation of rainwater catchment and greaywater systems and support rainwater
		<u>catchment systems</u> .
Skelton	102	NE.5-10 Strike out "handouts" replace with "information" and strike "new"
		Provide handouts information to new-residents on local sustainability efforts, surrounding
		natural environment, potential hazards, and emergency preparedness.
Capretta	102	Farber letter also discusses estuary protection, and could be added/clarified in section
1		NAT.4 under NE.5-8 and NE.5-10
		NE.5-8 Create an easy-to-use and readily identifiable system of directional and information
		signs along paths, trails, and creekside locations. Post signs to prohibit fishing signs that
		indicate prohibited activities (such as swimming, fishing, dogs off leash) due to the
		presence of threatened or endangered species. and 4Limit public access during spawning
		and early development stages of young fish.
Capretta/	88	Figure 5.1 Clean up "urban area" and fill in water area on maps. Consider adding parks to
McCauley/		Figure 5.1 as well. Consider defining those items identified on Figure. (Terms added to
Richardson		glossary).
Capretta	102	NE-5.9 Modify language so all encompassing "reduce litter" not just pack it out more trash
		receptacles or pick up also a strategy to reduce litter.
Capretta	Global	Greywater/Graywater keep consistent replace graywater with greywater. Consider
		deleting NE.4-3 since adding bullets under NE.4-2.

CONTINUE TO WEDNESDAY, JULY 24, 2013

It was **M/s** by Commissioner Skelton/Commissioner Skelton to continue to Wednesday, July 24, 2013. The motion was carried 5/0.

Any decision made by the Planning Commission on the above items may be appealed to the City Council by filing a letter with the Planning Department within 10 calendar days describing the basis for the appeal accompanied by the \$250 appeal fee.



MILL VALLEY PLANNING COMMISSION

DRAFT MINUTES

REGULAR MEETING OF WEDNESDAY, JULY 24, 2013

COUNCIL CHAMBERS, CITY HALL, 7:00 PM

26 CORTE MADERA AVENUE

PLANNING John McCauley – Co-Chair COMMISSION Heidi Richardson – Co-Chair MEMBERS: Steve Geiszler – Vice-Chair

> Chris Skelton Ricardo Capretta

CALL TO ORDER

ORAL COMMUNICATIONS: Time for comments from members of the public on issues not on this Planning Commission agenda. (Limited to 3 minutes per person.)

PLANNING AND BUILDING DIRECTOR'S ORAL REPORT: Report on items being considered by the City Council: None

LIAISON REPORTS: None

APPROVAL OF MINUTES: July 8, 2013 - Continued to the July 25, 2013 meeting

APPROVAL OF AGENDA:

It was **M** by Commissioner Capretta /Commissioner to approve the agenda. The motion was carried 5/0.

PUBLIC HEARING

1. <u>Draft Mill Valley 2040 (MV2040) General Plan, Draft 2009-2014 Housing Element and</u> Draft MV2040 General Plan Environmental Impact Report (DEIR)

A. Introduction:

Presentation and overview by staff of the draft General Plan, Housing Element and DEIR and the public hearing process before the Planning Commission.

B. Public Comment on the Draft MV2040 Environmental Impact Report (DEIR):

The California Environmental Quality Act, CEQA, requires a 45-day public comment period on a draft environmental impact report. The public comment period for the DEIR for the MV2040 General Plan and 2009-2014 Housing Element runs from July 10, 2013 to August 26, 2013. Comments on the DEIR may be provided in writing at any time during the comment period. Oral comments on the DEIR may be made during this portion of the public hearing. Time for public comment on the DEIR will be provided on the agenda during each of the scheduled Planning Commission public hearings on the MV2040 General Plan and 2009-2014 Housing Element.

PUBLIC COMMENT ON THE DRAFT EIR:

Geiszler	Exec	More explanation of LOS and why dropping service is okay to do. Needs to be
	Summary,	a little more question about it and why it is ok. More background on vehicular
	Intro and	trips vs. population increase.
	Transportation	
	Section	
Skelton	3.2-17	The second bullet on this page indicates that the proposed plans must show that
		the projected VMT is less than or equal to the projected increase.
		However the last paragraph on 3.2-17 states that there is a 12.4% increase in VMT and growth rate is 7.1%.
		Please clarify as looks like we are not meeting the requirement.
McCauley	Global	Balance of increase in population with land use, services and evacuation routes.
		Looks like the general plan has policies to mitigate potential need for additional
		services, emergency response, land use, natural resources to address the
		increase in population and density? May be worth explaining a bit more in the
		executive summary.
Capretta		Exhibit 2.3 – why a commercial area? It is Scott Valley Tennis Club Open
		Area? Also, water should be identified correctly.
Capretta	3.7	Onsite wells – are you allowed? (Moore: Yes, regulated by the state water
		resources board). Are there environmental impacts from people drilling wells?
		Water table impacted? Very vague, may be worth to expand on.
Capretta	3.1-2	Under "Residential Design Guidelines" Section:
		1) Missing "that" in the sentence. Should read: "residential design
		guidelines that"
		2) Second sentence, add remodels. Should read: "applicants proposing
		<u>remodels</u> and new development

C. Planning Commission Review of the Draft MV2040 General Plan:

The Planning Commission will be reviewing the Mobility and Hazards and Public Safety Elements at this meeting. At the conclusion of the Planning Commission review of each Element, the Commission will take public comment.

PUBLIC COMMENT ON THE DRAFT MV2040 GENERAL PLAN:

Public Comment			
Mobility	Response to Planning Commission review of M-17.5 Judicious use of public and		
Section	private lots that can be used for commuters.		
	Omission in bike parking. M.16.2 – locating opportunities. There was some		
	information for sighting of bike parking. Will submit comments related to		
	sighting bike parking.		
	Mobility		

Alisha Oloughlin,	Mobility Section	Bike parking opportunities. M.16-2 has to do with existing parking would like to see something that discusses the provision of additional bike parking within town
Marin County		to assist with reducing vehicle traffic and trips her household.
Bicycle		
Coalition		
Jacqueline	Mobility	Bicycle theft is a major problem. Bike racks should be secure and in front of
Zimmer	Section	businesses to help prevent bicycle theft. Secure bike parking is also important. In
Jones		favor of the Alto Tunnel.
Allison	Mobility	Son commutes over horse hill, and would appreciate the Alto Tunnel being open.
Crushin,	Section	And to include secure bike parking near transit. (Staff: additional wording about
Larkspur		bike parking added, see below)
resident		
Dennis Klien,	Mobility	
MV	Section	
Affordable		
Housing		
Committee		

PLANNING COMMISSION DISCUSSION:

		IWISSION DISCUSSION.
Planning C	ommissio	on Review: WRITTEN COMMENT LETTERS
Elisabeth	40	Misstatement of classification of bike lanes. Page 40, second to last sentence, modify
Thomas-		to read:
Matej		
letter		Class II bike lanes provide a striped lane for one-way travel on a street or highway,
		such as those on Miller Avenue. and include the Alto Hill path, near U.S. 101, the
		Mill Valley Sausalito Path and paths adjacent to Sycamore Avenue and Camino Alto.
		Class III bike routes provide for shared use of the vehicular travel lane, typically on
		lower volume roadways.
Davidson	128	Planning Commission approved suggested corrections to Page 128, Modifying the
		legend for Figure 7.4, do not reference VHFHSZ
Davidson	132	Planning Commission approved changes.
		Page 132, modify to read:
		HAZ.1 Community Hazard Resilience: Minimize loss of life, property, and
		important elements of the natural ecosystem and maximize Mill Valley's ability to
		<u>prevent, mitigate</u> , prepare for, respond to, and recover from disaster.
		HZ.2-1 Conduct hazard and vulnerability assessments as part of the Mill Valley
		Emergency Operations Plan (EOP). Maintain adequate levels of staffing, Maintain
		adequate concentration and distribution of staff, facilities, materials, and equipment
		to provide a timely response to demands for public safety services.

McCauley	71	Include a new program to incorporate home-based businesses.
		Page 71, add new program CV.1-6 to read: CV.1-6 Work with the Chamber of Commerce, private businesses and other organizations to support home business growth and development by creating opportunities to provide locally-based business services such as on-demand work and meeting space, "hot spot" access to the latest wired and wireless technology, group purchasing for supplies and services and other related programs.
Planning C	ommissio	on Review: MOBILITY
McCauley	31	Roadway system: acknowledgement of A and B roads; explain B roads are being modified to become A roads Mill Valley has over 61 miles of roadways. The City's arterial roadways—Miller Avenue, East Blithedale Avenue, and Camino Alto—account for 9.5 miles of the City's streets, with local streets comprising the other 50+ miles of roadways. Page 31 "roadway system" discuss/define arterials/collectors/local streets
Capretta	31	Figure 3.1identifies collectors and truck routes, page 31 roadway system section should also include collectors and truck route discussion. Also add terms to glossary. Define collectors only arterials are defined in Roadway System section. Define truck route. Check LaGoma/Homesetad – why is it arterial? Figure 3.1 should say local streets not roads
McCauley	38	Table 3.7 Note that measurement different for signalized and unsignalized intersections
Richardso n McCauley	32 Traffic	Why doesn't the 11 vehicle trips per day documented in the General Plan used in environmental review? (Moore explained that the traffic study mentioned documented traffic for one neighborhood and is anecdotal in nature. Traffic standards are updated regularly and are utilized for environmental reviews as part of the traffic analysis). How do you address LOS with Land Use and more housing, specifically that on East
Richardso	Traffic	Blithedale? Can we somehow provide incentives for building on Miller Avenue over East Blithdale for housing? Or identify significant but unavoidable impacts associated with East Blithedale? (Moore: We are not changing land use designations so the amount of development anticipated is similar as the 1989 General Plan. Traffic was not identified as a significant unavoidable impact due to the various programs in the General Plan to improve efficiency of the roadway network and to create a multi-modal complete street).
n Richardso	1 rattic	Are the assumptions for the traffic analysis in the General Plan or DEIR? (The traffic analysis is based on traffic growth assumptions associated with land use and commercial use projections. Assumptions discussed on page 36).

Geiszler	Traffic	What if traffic increases and we fall short of LOS identified in the General Plan? (The General Plan should be revisited from time to time, and programs and polices can be readdressed, including LOS standard and/or programs to improve LOS such as traffic enhancements, signals, roundabouts, and so on).
McCauley	Global	Why isn't Miller Avenue Streetscape Plan more predominant in the MV2040 document? (Several City documents, including the Miller Avenue Streetscape Plan, are adopted by reference, see Appendix B).
Skelton	Global	How do address specific plans and documents like the Miller Avenue Streetscape Plan? (Existing conditions identified in the General Plan are based on current conditions, not planned).
Skelton	47	Has there been any follow up about the shuttle bus from the Task Force, if so include.
Capretta	40	Not infeasible but highly undesirable traits. These additional enhancements are not only physically and financially undesirable infeasible, but and would dramatically alter the character of Mill Valley.
Capretta	43	Marin County there is bus only so it should read but and bus-to-ferry
Capretta	Fig 3.3	Class III for Camino Alto grade north of EB? Consider Class II up and Class III down. (The Mill Valley Bicycle & Pedestrian Advisory Committee works to address and work upon plans identified in the Bicycle & Pedestrian Master Plan, and can be suggested and brought forth to the BPAC as part of a review and revision to the Master Plan). No changes required.
Capretta	51	Should bottleneck by Whole Foods be put in M.1? (See M.9-2 and M.9-6). Planning Commission requested to add "lane modification" to M .9-6.
Richardso n	51	M2-1 grammar Invite the Transportation Authority of Marin, Metropolitan Transportation Commission, Golden Gate Transit, Street Smarts Marin, local bicycle/pedestrian groups and organizations, and other transportation agency-related staff and/or board
		members <u>to</u> City Council, Planning Commission and Bicycle and Pedestrian Advisory Committee meetings, as necessary, to present information on new mobility programs and initiatives.
McCauley	52	M.4 should include some acknowledgement of Miller Avenue
Capretta	52	M.4-1 Add traffic recognition technology to the discussion
Capretta	52	M.4-4 Add pavement markings and signage to discussion. Could we consider 3-foot rule, as Sonoma County? (Staff: Modified M.13-1 to include roadway regulations to address 3-foot rule, or other potential regulations).
Geizler		Maintain bike paths, did this get in? (Yes, See M.11-7)
McCauley	22	Traffic management and coordination for construction projects. (Moore: Will consider in Land Use)
McCauley		Signage and advertising for local shops downtown for blazing saddles. (Staff: see M.4-1)
Richardso n	54	M.9-8 What are peak periods for the weekend?
Capretta	54	M-9.7 Not realistic. Says use" modify to say "consider the use of"

Capretta (1:37)	54	M-11Add program;		
() -)		Investigate shorting the crosswalks and consider using bulb-outs in certain locations, such as downtown		
Capretta	54	M.11 should include bike parking in dead zones. See (M-16.2)		
Capretta	56	M-11.7 Wording not right		
Capretta	57	Section 14 encouraging and establishing a carpool network (Staff: carpooling included as part of M.5 page 53).		
Capretta	58	M.16-8 include Mill Valley Middle School. (Staff: See M.3-2 for coordination and work with local schools. New program added since M.16-8 has to do with student driving at the high school).		
McCauley	58	M.16-8 Continue to work with, as the City and Tam High have done a lot to help elevate drop off.		
McCauley	57	M.14 Include safe routes for seniors. (Staff: M.14-5 would develop a "safe routes for transit" modeled after safe routes to school. This program would be specifically for transit, and would include seniors).		
McCauley	58	M.16-1 Use the word "unbundled," consider using shared parking instead. (Moore clarified that it is a list of strategies not mandates).		
		M.16-1 Implement Study parking management strategies, including but not limited to shared parking, "unbundled" parking in commercial and multi-family		
Planning C	ommissio	n Review: HAZARDS & SAFETY		
McCauley	121	Fire following an earthquake is a big deal as part of liability insurance.		
Capretta	125, 127,12 9	Flooding, Wildland Fire, Public health should be subheading to Natural Hazards		
Capretta	131	Facts and figures on fires and any info on brown outs/black outs		
Capretta	134	HZ.5-4 Why are we so specific about these streets? (Moore: basis to require property owners in the vicinity of these areas to provide sufficient roadway access. Absent this list the City has not had the ability to require property owners to make the street improvements. This allows the City to establish conditions of approval associated with development).		
		Richardson: Does any funding go to private streets? (Moore: Private streets can still set up a neighborhood association maintenance fund or benefit assessment district). The City still has an obligation to protect homes and the safety of those residents.		
Capretta	134	6.1 why just older buildings? Should be all buildings? Change to "with commercial and multi-family buildings, especially older buildings."		
McCauley	134	HZ.6 Flood mitigation in other sections? Yes, see climate section.		
McCauley	135	HZ.6-5 Prevention side working with nearby public safety and emergency management agencies (brush clearing). Holistic approach to coordination on the prevention side.		

Richardso	132	HZ.1-3 Maintaining small town character to balance planning issues with fire
n		protection. Good design, landscape architecture vs. vegetation management and fire
		protection. (Moore: Consider a program that indicates a desire to balance hazard
		mitigation and good design. Implementation would then occur through state building
		code updates, fire code updates and design guideline updates. Mitigating hazards not
		at the expense of community character).

D. Follow-Up:

The Planning Commission may use this time to address any items that did not get covered in preceding hearing on the Draft General Plan or on the General Plan DEIR, or to request that a specific item or issue related to the Draft General Plan or General Plan DEIR be addressed at a subsequent hearing.

ADJOURN

It was **M/s** by Commissioner McCauley/Commissioner Skelton to adjourn the meeting. The motion was carried 5/0.

Any decision made by the Planning Commission on the above items may be appealed to the City Council by filing a letter with the Planning Department within 10 calendar days describing the basis for the appeal accompanied by the \$250 appeal fee.

MILL VALLEY PLANNING COMMISSION <u>DRAFT MINUTES</u>

REGULAR MEETING OF THURSDAY, JULY 25, 2013

COUNCIL CHAMBERS, CITY HALL, 7:00 PM

26 CORTE MADERA AVENUE

PLANNING John McCauley – Co-Chair COMMISSION Heidi Richardson – Co-Chair MEMBERS: Steve Geiszler – Vice-Chair

> Chris Skelton Ricardo Capretta

CALL TO ORDER

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PLANNING AND BUILDING DIRECTOR'S ORAL REPORT: Report on items being considered by the City Council: None

LIAISON REPORTS: None

APPROVAL OF MINUTES: July 8, 2013

It was M/s by Commissioner Geiszler/Commissioner Skelton to approve the minutes os July 8, 2013. The motion was carried 4/0.

APPROVAL OF AGENDA:

PUBLIC HEARING

1. Draft Mill Valley 2040 (MV2040) General Plan, Draft 2009-2014 Housing Element and Draft MV2040 General Plan Draft Environmental Impact Report (DEIR)

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to August 26, 2013. Comments on the DEIR may be provided in writing at any time during the comment period. Oral comments on the DEIR may be made during this portion of the public hearing. Time for public comment on the DEIR will be provided on the agenda during each of the scheduled Planning Commission public hearings on the MV2040 General Plan and 2009-2014 Housing Element.

PUBLIC COMMENT ON THE DRAFT EIR: None.

PUBLIC COMMENT ON THE DRAFT MV2040 GENERAL PLAN:

Name	Page	Comment	Proposed Revision
Planning Comn	nission – Ju	ıly 25, 2013 Hearing (Focus on Land Us	se (LU), Housing (H), Noise (N))
Public Commer	nt		
Chris Deam 162 Throckmorton	10 & 11	Land use element now segregates residential or commercial areas. That designation now misses the fact that downtown residents are orphaned. Liked the distinction of "commercial neighborhood" as it served dual purposes of residential and commercial. Advocate that downtown residents get some sort of acknowledgement. Reflect that downtown is not just commercial and the plan encourages more of mixed use	
		Page 10, add Downtown as a subheading	g under "Residential Areas"
Chris Deam 162 Throckmorton	22	1989 references public vistas only).	Moore: the City does not have a view ordinance. The
Chris Deam 162 Throckmorton	22	LU.2-1 Allowing the market to dictate n citizens to determine the character not the completely. LU-2 states enough. Planning Commission reviewed program	neans giving up discretion. Revise to state, "allow the ne market". Or, just eliminate this program
Chair Dana	22		
Chris Deam 162 Throckmorton	23	residents should take into account reason	nable concerns. Period. Strike the remaining part of spense of a vibrant downtown" not needed.
		commercial areas by recognizing the new by acknowledging that residents who endowntown commercial areas may also exist issues not typically found in traditional resolution of any conflict with adjacent acconcerns, and consider the importance of a vibrant downtown.	inesses and residents in or adjacent to downtown ed for responsible business operations and practices; joy the value and convenience of living in or near xperience noise, odors, parking constraints, and other residential areas; and by recognizing that the residents should take into account reasonable of a vibrant commercial area of but not at the expense
Ken Brooks	14		ness license – with three categories. Annual point of inesses and establish a database on types of business,

C. Planning Commission Review of the Draft MV2040 General Plan:

The Planning Commission will be reviewing the Land Use and 2009-2014 Housing Elements at this meeting. At the conclusion of the Planning Commission review of each Element, the Commission will take public comment.

PLANNING COMMISSION DISCUSSION:

		view: LAND USE
McCauley	25	LU.7-1 clarify the intent of this sentence that it is standards for the overall process. State
•		"additions or deletions" instead of "modifications."
McCauley	19	Table 2.2 adding more education ahead of this table and put it in the Housing Element.
•		We need to educate the community on density since the community usually works with
		Floor Area Ratio. Explain why units and square feet do not connect. Density is defined by
		units per acre.
		Replicate some info in Housing Element in the section prior to Table 2.2
Skelton	23	LU.4-2, should the City be involved in mediation? Consider using Encourage neighbors to
		utilize
		neutral mediation services to resolve potential conflicts among neighbors for matters that
		may involve the City but do not relate to enforceable City regulations or conditions of
		approval.
Richardson	22	LU.1-3 seems like the burden of proof is on the community and why isn't traffic
		mentioned in the list characteristics? (Moore: Burden of proof is on the community
		through findings and conditions of approval. Skelton added that excuses such as traffic
		allow for projects to reduce number of units and/or increase size of units).
Richardson	22	Want to make sure that LU.2-1 is not an anti-proliferation clause.
Richardson	24	LU.5-1 indicates the use of the 1989 General Plan commercial area guidelines as a
		starting point. Add to 1989 General Plan commercial guidelines to the Appendix
Richardson	25	LU.7-3 states "encourage development," shouldn't it mention guidelines?
Richardson	25	LU.7-4 Should be stronger language that encourage.
Skelton	25	LU.7-1 consider adding exceptions and economic hardships to the bullet list. (McCauley:
		modified LU.7-1 to say "additions and deletions" which helps to address this issue).
		Get rid of "potential" (Geiszler: potential is in the sentence for CEQA purposes, in which
		all structures over 50 years are reviewed).
		Anti-neglect and minimum maintenance
Capretta	14	Quantitative data on square footage for commercial areas
Capretta	22	LU-1.1 and LU-1.2 Strike major
Capretta	22	LU-2 The word "residential character" should be changed to "small town character."
Capretta	22	LU-3.1 Qualify statement so it does not imply expand hours and activity for the
		downtown plaza.
		view: HOUSING
McCauley	1-3	Page 1-3, second paragraph second sentence should note property owner as well since it
		us ultimately the property owner that initiates any improvements associated with a
		property.
Skelton (1:33)	1-5 and	Add Housing Accountability Act of 2006 – should be added to the overview of recent
	1-6	housing law
Capretta	2	Revise acknowledgements section to reflect current Planning Commission
Silvestri letter	I-3	Discussion of the word "allocation" in terms of the RHNA/Regional Housing Needs
		Assessment acronym. (Moore: Allocation and assessment used interchangeably by HCD).
Silvestri letter	I-4	Moore clarified housing law. The current housing element cycle predates SB375, which
		changed the Housing Element cycle. The original timeframe was 5 years (2009-2014).
		The next cycle is 8 years provided that we get our HE certified in the given timeframe. If
		not, the City will be required to submit in four years.
Silvestri letter	I-5	Statement about shortage of "affordable housing"
Silvestri letter	II-11	Second bullet, waiving consolidation fees – agree should be related to affordable housing.
		Clarify statement.
Silvestri letter	II-19	4.4.1 Streamlining – term removed in this draft.

Silvestri letter		Other issues raised in letter addressed below	
McCauley	II-3	Tell whole story of Residential Design Guidelines now used for all homes (hillside and	
		flatlands)	
McCauley	II-4	Add commentary about when Multi-Family guidelines will include the interplay of Floor	
		Area Ratio and Density.	
		Geiszler suggested under Goal 3.0 add that in Multi-Family Guideline is to encourage	
		affordable housing by way of establishing minimum densities.	
Capretta	II-3	Study session process, success and predictability and design review more efficient. Add	
a	TT 4	study session to 1 st sentence under program 1.	
Capretta	II-4	Check number on H-O list – is it 27 or 23? Modify as needed. (Staff 27 properties are	
N. C. 1	TT O	listed on the HO Overlay).	
McCauley	II-8	Micro-apartments, are there restrictions for Micro-apartments? Mike Moore No. Add	
		sentence, 3 rd paragraph under #7 stating that currently there are no restrictions for building	
MaCaulan	II O	micro units in Mill Valley.	
McCauley	II-9	Second Units deed restrictions only on FAR exemption units only—discuss language in	
McCauley	II-9	ordinance not in Housing Element Amnesty program – one reason is to bring up to safety standards	
McCauley	II-9 II-11	Change for affordable only	
Skelton	II-11 II-10	Discussion of Redwoods affordable overlay. Modify language about finished floor—	
Skelloli	11-10	"measured from finished floor area to FEMA mandated first floor level."	
Skelton	II-10	How does Redwoods overlay relate to other elements such as Climate Action? Applicants	
Skelloli	11-10	must conform to FEMA standards and other permitting, and General Plan requirements.	
Richardson	II-16	Nexus study required by state law and a basis for charging the fee, including the	
Kicharuson	11-10	administration. Explain what the nexus study is and that it is used to determine the	
		feasibility of actually collecting and using in lieu fees/ money.	
Geiszler	II-14	Add language in policies about Multi-family minimum densities as part of the affordable	
Genszier	11 1 .	housing strategy.	
McCauley	II-17	16. City efforts support in affordable housing funding applications	
McCauley	11-19	Discussion of parking. Program says "evaluate" so not tied to anything until study is	
		conducted and recommendations moved forward into guidelines and/or Muni Code.	
McCauley	II-18	18. Check if 28 is correct in II-28 we say we have 38. Fix and make consistent.	
Capretta		Too many guidelines	
•		"the Updated Zoning Ordinance will establish <u>multi-family residential</u> development	
		standards for multi-family residential uses within commercial districts, and combined with	
		the use of Multi-family Residential Design Guidelines (program #1) will provide for a	
		more transparent and efficient development review process."	
Capretta	II-25	Bullet add from CV about medical facilities	
Capretta	II-28	Half or quarter mile? Is there a consistency issue or does it vary? located within ½	
		mile or less walking distance within a half mile walking radius	
Capretta	II-30	#34 - Should it state every five years do we need to state?	
Richardson/Sil	II-32	37. Add Sunset provision and term limits	
vestri Letter			
Dennis Klein		Letter sent to HCD. Planning commission reviewed but did not take action on the letter.	

D. Follow-Up:

The Planning Commission may use this time to address any items that did not get covered in preceding hearing on the Draft General Plan or on the General Plan DEIR, or to request that a specific item or issue related to the Draft General Plan or General Plan DEIR be addressed at a subsequent hearing.

MOTION TO CANCEL THE MEETING OF JULY 29, 2013 AND ADJOURN

It was **M/s** by Commissioner Skelton/Commissioner Richardson to approve the motion to cancel the meeting of July 29, 2013 and adjourn. The motion was carried 5/0.

Any decision made by the Planning Commission on the above items may be appealed to the City Council by filing a letter with the Planning Department within 10 calendar days describing the basis for the appeal accompanied by the \$250 appeal fee.

