

Citizen Advisory Committee
Meeting Minutes
October 11, 2010

Present: Planning Director Nancy Kaufman, facilitator Ben Noble, Senior Planner Neal Toft, Contract Planner Julia Capasso, and all members of the CAC except for those listed below.

Absent: Wolf Gutscher, Jerry Hauser, Joan Lundstrom, Joakim Osthus, Zachary Perry, and Jared Polsky.

1. Announcements

The Planning Director announced that CAC member Russ Brubaker, representing the Marin Commission on Aging, will no longer be able to participate on the CAC. She asked that any CAC member with a connection to the Commission keep them informed about the process, or alternatively keep in contact with the local senior community to get their feedback throughout the process and inform them of meetings. Mr. Brubaker did not have an alternate. Cherie Daly stated that the Marin Agricultural Land Trust will host a talk on November 7 from 3 to 5 p.m. at the Cavallo Point Lodge at Fort Baker regarding climate change and the global and national value of local food systems. She has more information for those who are interested. Dick Young noted that the Community Garden donated more than 1,000 pounds of food to the food bank this year. David Esposito said that he spoke with a resident of Larkspur Isle who has noted rising water levels and flooding over recent years. The CAC may want to schedule a tour of the area in addition to their tours of the two subareas.

2. Public Comment.

There was no public comment.

3. Wrap-up discussion of Land Use Element Goals

Mr. Noble noted the discussion questions provided to the CAC.

Question 1a. Should units be allowed over podium parking in commercial parking lots of restricted to above existing commercial as is currently allowed?

Bruce Friedrichs asked for a definition of “podium parking.” Mr. Noble said that podium parking is parking either at grade or slightly below grade, with the first floor of usable floor area placed above the parking. If it’s poorly designed you can see it very conspicuously as the first story of a structure, but if designed well it can be disguised and shielded. The Planning Director noted that this subject was brought up by the Planning Commission when it reviewed the Housing Element, specifically for the Bon Air Center. The Commission mentioned that podium parking development over the parking lot might be a better approach than above the existing structures. Julie Leitzell asked where such development would be placed at Bon Air. The Planning Director said that it is a conceptual idea and nothing has been designed, but generally

development would be closer to the street to allow for parking close to the retail uses. Ms. Leitzell said that she prefers the openness of the existing parking lot rather than a new structure that could make a canyon effect on Sir Francis Drake. Mike Folk asked for an example of this development in the Bay Area. David Esposito gave Emeryville as an example. James Holmes said that this type of development is common in San Francisco, which often leads to dead walls at the street level.

Elise Semonian asked why the CAC is looking into this kind of detail. Mr. Noble said that the City was asking for feedback at a general level as to whether that concept is something that's appealing. Podium parking would retain the existing parking in commercial lots while adding structures above to accommodate infill development. The Planning Director noted that current policies provide for housing above first story commercial rather than podium parking.

Mike Folk said that the Fifth and Mission parking garage in San Francisco has retail in front and is a good example of first floor retail. He doesn't think that an open parking lot adds aesthetic benefits to an area like Bon Air, so development in the parking lot over parking could be a positive thing and get additional benefit out of the parking lot. David Sternberg asked if this question referred to Larkspur as a whole or specifically in Bon Air. The Planning Director said that the only commercial areas that could accommodate this would be Bon Air, Larkspur Landing, and few others. Mr. Sternberg said that as an architect he has done countless developments of this type in San Francisco, and some in suburban places in the South Bay. The more urban housing that you can provide where it's appropriate opens up the rest of the County to be more open, and focuses traffic and congestion where it should be and increase use of public transit. Townhomes mixed with podium housing would also be possible.

Helen Heitkamp said that a similar proposal was submitted in the past for the Nazari property because there's a grade level change between Magnolia Avenue and the lot. A two-level parking lot was proposed with the top level on the same grade as Magnolia Ave. A grade level change might make this development feasible on a case-by-case basis. The intent of the question seems to indicate that it wouldn't be limited to a case-by-case basis. Nancy Weninger said that she agreed with Mr. Sternberg's comment about concentrating people near transit. She also noted that Policy O in the Circulation Element is directly linked to the Land Use Element and should be integrated better with policies in that Element.

Mr. Holmes noted that the examples of podium parking given are of much more urban communities, large massive structures that wouldn't be suburban in scale. Ms. Leitzell said that even sitting at a stoplight on Sir Francis Drake allows beautiful views of Mt. Tam. Those views may be blocked by parking lot development at Bon Air.

Mr. Noble stated that it seemed the majority opinion was that the City should consider housing above podium parking on commercial parking lots to accommodate infill development but that it needs to be sensitive to the community and reduce impacts on views and circulation. A straw poll reflected that the majority of the group did agree with those caveats.

Mike Folk said that the City is asking for a recommendation on whether it's an idea to consider, and there is no design involved on the CAC's part. Mr. Sternberg said that similar developments in San Francisco are multiple stories with up to 100 to 200 units per acre. What is proposed here is 23 units per acre, so the density would be scaled to the community.

Nancy Nakai said that she is very concerned about indicating a general direction to the City Council unless the CAC can delineate placement and density issues, which is not appropriate at this time. The Planning Director reminded the CAC that the General Plan has a 20 year timeframe. Policies could use language like "explore allowing" or "consider allowing" such development. Current policies do not allow this type of development. Ms. Leitzell echoed Nancy Nakai's concern about giving direction to encourage this development. Mr. Noble noted that a majority supported exploring the idea with a lot of caveats, and acknowledged the concerns members had about design, bulk and mass, impacts on views, circulation, etc.

Question 1b: Should densities be allowed over 23 units/acre where higher density multi-family housing is planned or allowed?

Mike Folk said that the CAC needs to know what specific density would be considered. Bruce Friedrichs asked for an example of higher density in Larkspur. The Planning Director said that Larkspur Landing had densities ranging from 15 to 25 units per acre with three to four stories. Jim Moore said that there are always parking spaces available at Bon Air and Larkspur Landing. It doesn't seem appropriate to consider development there at this time. Cherie Daly noted that one of the General Plan's goals is to provide housing for people of all income types. Limiting residential densities to prevent high density housing contradicts that goal. Higher densities will also reduce car travel, another important goal.

Daniel Kunstler said that visualizing units on the site is hard, and the question feels out of context. Mr. Sternberg said that the 382 RHNA is a very specific number of units identified that the CAC could consider. Mr. Holmes said that the RHNA is an extreme demand from ABAG. Larkspur Landing is very dense because it was planned for density. Other areas of the City are older and were not planned for higher density. Ms. Leitzell asked why we are assuming that we should comply with ABAG- she thought it was a choice. She also questioned whether residents of Larkspur Landing all use the ferry for transportation to work. The Planning Director said that a possible policy could be "Do not increase allowable density units to over 23 units/acre until design guidelines are developed to mitigate impacts, as well as developmental threshold criteria addressing environmental impacts such as traffic and views."

Mr. Sternberg asked how many units were built or approved in the past 5 years. The Planning Director summarized these developments. [NOTE: PLEASE SEE THE DRAFT HOUSING ELEMENT, PAGE 39, FOR A FULL LIST AND DESCRIPTION OF BUILT AND APPROVED DEVELOPMENTS.] Mr. Folk suggested that the text of the question be changed to read "investigated" rather than "allowed." There are parties here interested in higher density and it should be investigated.

Mr. Noble said that there had been opinions for and against higher density, and it seemed difficult at this point for the CAC to make a statement without more specific information about

where the higher density would be located and what form that development would take and what densities they'd be talking about.

Question #2: Referring to Land Use Goal #4, "Maintain the existing neighborhood scale": how can this goal be achieved while allowing higher densities in order to meet housing mandates?

The Planning Director clarified that "higher densities" meant densities higher than the density of existing development in an area. Ms. Daly said that she had brought this up last time, and after re-reading the section she realized that it was referring to character rather than scale. It is a design issue rather than a density issue. Ms. Anderson said that charming development gets a lot of points, but her concern lies with encroaching on sunlight and views. Higher density development can be designed in scale with the existing neighborhood if designed in place.

Nancy Spivey said that she lived in Larkspur Landing and admires the winding streets and landscaping that gives one a "good feeling". Mr. Holmes said that design is very subjective; one person's good design is another person's abomination. Elise Semonian said that existing neighborhood scale could mean taking advantage of neighborhoods that do allow higher densities but may be developed with single-family homes that seem out of place. Nancy Nakai said that page 40 of the 1990 General Plan includes guidelines that allow increased residential densities only after consideration of traffic impacts and transition to adjacent uses are addressed. [NOTE: THIS REFERENCE IN THE PLAN IS TO THE NIVEN PROPERTY.] Increasing density and scale connects directly to circulation. Mr. Noble said that it seemed an additional dimension to this goal should address impact on circulation.

Question 3: Referring to Land Use Goal #1, "Maintain the overall residential character of Larkspur": Should this goal be revised to emphasize a balanced character rather than a residential character?

James Moore said that he liked Larkspur the way it was now. Ms. Weninger noted that "residential character" in Larkspur is fluid and varies by neighborhood. Mr. Moore said that after walking through all of Larkspur as a member of the Larkspur Walkers, he'd hate to see more mixed use or commercial operations producing undesirable results. He thinks the community is beautiful with a lot of diversity and should stay the same.

Ms. Leitzell said that a key word here is "maintain." She is against changing the current mix of residential and commercial and for maintaining the existing balance. She thinks a poll of Larkspur residents would show that the majority love the character of Larkspur as it is. Daniel Kunstler said that the question implies Larkspur doesn't have a balanced character, which he thinks is untrue. Everything he needs is within walking or bicycling distance. Nancy Spivey noted that there is no grocery store in Larkspur Landing. Mr. Holmes stated that adding more commercial may lead ABAG to allocate more housing in the next cycle because it would increase the job base.

Mr. Noble said he heard strong support that the character is balanced already and it should be maintained. Mr. Sternberg agreed and suggested changing the word "residential" in Goal 1 to

“balanced.” Ms. Weninger said that the wording should be kept as is. It doesn’t preclude adding more housing to commercial areas which would create mixed use without increasing commercial space. David Esposito said that all the services that will be needed in the future may need to be funded by raising taxes; how much can residents bear in 20 years? Ms. Semonian said that that Goal #1 is under “Neighborhoods” policies and doesn’t refer to the City as a whole.

Question #4a: Should the City revise or relax its second dwelling unit regulations or consider an amnesty program to legalize existing illegal second units in order to promote more second unit development?

Mr. Moore asked how many illegal second units exist. The Planning Director said a survey was done in the past but it would have to be redone. She guessed there may have been approximately 30 illegal units. Mr. Moore said that a significant number may make the amnesty program worthwhile, but 30 doesn’t seem enough. Mr. Holmes asked if second units count toward ABAG’s quota. The Planning Director said yes, both new units and legalized existing units. Ms. Leitzell said she is in favor of relaxing regulations and that many people are interested in second units. Ms. Nakai cautioned about relaxing requirements so that safety of the unit is impacted. The Planning Director said that state building codes dictate things like ceiling heights, fire sprinklers, and other safety requirements that can’t be waived. David Esposito asked what constituted an illegal second unit. Mr. Noble said that it was built without permits and may not be up to code. Mr. Esposito asked would the amnesty program include a permit tax. The Planning Director said that there is a one-time building permit fee. The penalty for an illegal unit is twice the building permit fee in addition to the cost of meeting the code. An amnesty program would probably waive the penalty on the building permits, but they would still have to meet the code. Mr. Noble said that other incentives could include waiving other fees like utility hookups. [NOTE: The Marin Municipal Water District reduces connection fees for second units.]

Elise Semonian said that many homes in her neighborhood used to be multi-family. The City could consider zoning to multi-family use where it was in the past or is currently multi-family. This would allow those sites to continue to have higher density developments in the future. Mr. Sternberg asked what the requirements are for second units. The Planning Director said that State law requires the City allow second units by-right (no use permit) subject to certain standards. The City has a maximum square footage of 700 square feet. The State allows a city to allow up to 1,200 square feet. One of the issues is parking. City code requires four spaces for a single-family home, plus one for a second unit. The minimum second unit size is 320 square feet. The Planning Director said that larger second units may look like duplexes rather than a second unit. The maximum size also limits the number of occupants which controls circulation and noise impacts. The owner of the second unit must reside either in the second unit or the main unit.

David Sternberg asked why the owner has to occupy one of the units; if the owner has to vacate the home for health reasons and has a tenant, he/she would be in violation. The Planning

Director said that if the owner lives there, he/she is more likely to be concerned about their renters. The intent is to preserve the single-family neighborhood character.

Question 4b: "Should large single-family homes near commercial or multi-family areas (e.g., within 150 feet) be allowed to split into two housing units?"

Mr. Holmes said that this would cause problems with absentee landlords. Mr. Moore suggested allowing lot splits for certain size lots (over ½ or 1/3 acre). Ms. Daly said that one can't assume that low-income people or tenants will be irresponsible or nuisances. As to absentee landlords, modern leases are often very restrictive and specific about grounds for eviction or fines. There are other ways to deal with noise and other nuisances. Ms. Semonian said that splitting single-family homes would maintain the character of the neighborhood while accommodating higher density, and shouldn't be limited to two. Ari Blum said that the absentee landlord issue is definitely to be considered, but he can think of many neighborhoods in San Francisco with single-family homes used as multi-family housing that are very positive neighborhoods. Ms. Anderson said that many homeowners in her neighborhood are elderly women living alone. Some of these homes are up to 2,500 square feet and splitting them would offer companionship for the homeowners and double the neighborhood's density.

Mr. Folk asked about the 150 foot buffer mentioned in the question. The Planning Director said that it was just to give an idea and was arbitrary. A straw poll showed a majority was in favor of the idea with some members strongly against it.

Areas of Consensus?

The Planning Director stated she had been asked and wanted to clarify the term environmental justice, a common term for preventing low income and minority housing from being placed in the least desirable areas. She also clarified a typo in the last consensus item; the last "and schools" should be deleted. Mr. Noble said the idea in the last item is to make sure that new development doesn't negatively impact community services. The CAC generally approved of Mr. Noble's language for that consensus item. Ms. Semonian added that there are a limited amount of preschools in Larkspur and she would like to see more opportunities for preschools.

Mr. Noble clarified that the consensus items were from the last meeting only, not the entire process to date.

4. Presentation and Q&A on the Circulation Element by Neal Toft, Senior Planner.

Mr. Toft referred to the handout made available to the Committee that he would be referring to. The Circulation Element is a mandatory element under the California government code. In the 2008 Complete Streets Act passed, which requires cities and counties to include complete streets policies in the General Plan to accommodate all multi-modal users including pedestrians, bicyclists, and automobiles to create more livable communities. The existing Circulation Element, Trails and Paths Element, and Bicycle and Pedestrian Master Plan do have most of those elements but it could be addressed in a more cohesive manner. The current Circulation Element focuses more on motor vehicle circulation and looks at multimodal transit

as a way to alleviate congestion but it is thin on creating livable and walkable communities. The technical analyses are from the 1980's and describe travel volumes, level of services, and transit modes available. The City will perform updated technical analyses during environmental review.

Some policies in the Circulation Element are directly related to the development process and how it integrates with the roadways. Policy C requires that any changes to commercial uses and additions north of the Corte Madera Creek not generate one additional PM Peak hour trip. Existing developed commercial sites can't be modified in a way that adds any afternoon peak hour traffic. Exceptions exist for affordable or senior housing and other residential development. This favors low traffic generating uses over higher generating uses which are sometimes retail uses and local services. The City has to balance traffic generation with maintaining commercial viability and livability. The Policy doesn't limit regional traffic.

Other planning documents include the Trails and Paths Element, which provides specific policies, programs and goals for improving and maintaining the system of trails and paths throughout the City. It has a map of existing and planned trails, bike routes, and pedestrian pathways. It doesn't provide direction for creating linkages between neighborhoods and improving sidewalks or streetscapes. The Bicycle and Pedestrian Master Plan was developed in coordination with 2002 Marin County Bicycle and Pedestrian Master Plan. It provides specific standards for improvements and facilities to ensure CalTrans compliance and assist with getting funding for improvements to bike paths. It does not focus on trails, sidewalks, streets, or community linkages.

There are several regional transportation projects that will be underway in the next five years. The Highway 101/Greenbrae corridor project has an estimated construction start date of 2014. It will improve circulation east of Highway 101 in the industrial zone and reduce some through traffic on the Sir Francis Drake underpass. Its main purpose is to reduce weaving at various on and off ramps for the highway. The Cal Park Tunnel Rehabilitation and Multi-Use Path will hopefully be opened by mid-November. The tunnel connects Larkspur and San Rafael and will exit out in front of the Larkspur Landing Cinema. It would be accessed in San Rafael by Anderson Drive. It is designed to accommodate commuters and coordinates with the SMART Train and Central Marin Ferry Connection. Beyond the exit point at the Cinema, there are no interim planned connections to the ferry or other areas, a fact that concerns the City.

The SMART Train station will be the southern terminus of the SMART rail. Limited parking will be available at the current Marin Airporter parking site. It is not designed for people to park and take the train north. The project provides no improvements for bike or pedestrian access to the ferry terminal. The City is submitting a station area grant to study the project's impacts and potential improvements in the area. The Central Marin Ferry Connection project (also headed by TAM) is just beginning environmental review. It will connect the multi-use path at Corte Madera Creek to the Cal Park Tunnel, SMART rail, and ferry landing. Phase Two of the project will connect a pathway over the Creek, in the right-of-way of the former railroad bridge. Ari Blum asked if the project would help alleviate the dumping off of bicyclists from the Cal Park tunnel. Mr. Toft said it would to some extent, but not completely.

Mr. Toft concluded his presentation noting that upcoming infrastructure projects include the Alexander Avenue Bridge rehabilitation and Doherty Drive corridor improvements. He asked that the CAC consider the fact that traffic impact fees generally go back to roadway improvements to address vehicle circulation. Should multi-modal improvements be considered as mitigation for traffic impacts as well?

Alice Anderson said that new infrastructure should take sea level rise projections into consideration, including the Highway 101/Greenbrae corridor project. The Planning Director said that environmental review will require TAM and CalTrans, the lead agencies for the project, to look at sea level rise and mitigate those impacts. Ms. Anderson said that she felt the CAC should study sea level rise projections in more depth in order to understand the impacts on development and consider adaptation measures. There was some discussion regarding climate change impacts and the CAC's work. The Planning Director noted that the BCDC conference on October 22 will address adaptation measures for the entire Bay Area. CAC members are welcome to attend. Staff suggested that they come back to the CAC with more information from the conference and other sources regarding possible adaptation measures and the CAC can consider the information as they study the subareas.

5. Discuss how the information presented affects existing General Plan Circulation Element Goals and Policies

The CAC agreed to continue this discussion to the next meeting considering time constraints.

6. Establish planning groups for two subareas

CAC members chose numbers randomly out of a hat to split into the two subarea planning groups. Everyone should attend both subarea tours regardless of their planning group, so that when the group considers different options for the areas everyone will be familiar with the area and their constraints and opportunities for development. The planning groups will work separately on different possible land use scenarios for their particular subarea and bring them back to the entire CAC for discussion, to give everyone an opportunity to comment on both subareas.

7. Review of October 25 meeting minutes

Mr. Holmes requested that the minutes be amended to include the word "densification" by TAM representative Karita Zimmerman.

Next meeting: October 25, 6 to 8 p.m.

The CAC will conclude its discussion on the Circulation Element.

Adjournment

The CAC adjourned at 8:30 p.m.