

**TOWN OF MORAGA
PLANNING COMMISSION MEETING**

Council Chambers & Community Meeting Room
335 Rheem Boulevard
Moraga, CA 94556

February 16, 2016

7:00 P.M.

MINUTES

1. CALL TO ORDER

Chairperson Marnane called the Special Meeting of the Planning Commission to order at 7:00 P.M.

A. ROLL CALL

Present: Commissioners D’Arcy, Kovac, Kuckuk, Woehleke, Chairperson Marnane

Absent: Commissioner Mallela

Staff: Ellen Clark, Planning Director
Ben Noble, Place Works

B. Conflict of Interest

There was no reported conflict of interest.

C. Contact with Applicant(s)

There was no reported contact with applicants.

2. PUBLIC COMMENTS

Dave Bruzzone, Moraga, stated his comments, while somewhat related to the sole agenda item, were new comments in that he had submitted some historical photos in the context of the discussion of ridgelines. He displayed a photograph to illustrate that the entire Lamorinda area, not just Moraga, was full of ridges. In that context, he questioned whether the Town was applying the appropriate standards for the significant ridges. He provided a photograph of the Moraga Shopping Center when first constructed, and photos of significant ridges at Camino Ricardo, and suggested the Planning Commission had heard evidence that most communities did not talk about prohibitions until reaching the 35 to 50 percent slope range. Additional photographs of Saint Mary’s College (SMC) and the Bluffs neighborhood were also presented. In his opinion, most of those who had attended the Steering Committee meetings and public outreach meetings would not be able identify the significant ridges in the community. He suggested the Town was needlessly penalizing property owners for properties that could accommodate growth and did not impact the skyline.

3. ADOPTION OF CONSENT AGENDA

- A. **February 1, 2016 Minutes**
- B. **January 20, 2016 Minutes**

On motion by Commissioner Woehleke, seconded by Commissioner Kuckuk to move the adoption of the Consent Agenda to Item 6, Routine and Other Matters as Item A. The motion carried by the following vote:

Ayes: Commissioners D'Arcy, Kovac, Kuckuk, Woehleke, Marnane
Noes: None
Abstain: None
Absent: Commissioner Mallela

4. ADOPTION OF MEETING AGENDA

On motion by Commissioner Kuckuk, seconded by Commissioner Woehleke to adopt the Meeting Agenda, as modified. The motion carried by the following vote:

Ayes: Commissioners D'Arcy, Kovac, Kuckuk, Woehleke, Marnane
Noes: None
Abstain: None
Absent: Commissioner Mallela

5. PUBLIC HEARING

A. Hillside and Ridgelines Project: Continued from February 1, 2016 Meeting, Preferred Policy Options

Chairperson Marnane explained that the Planning Commission had continued its discussion of preferred policy options for the Hillside and Ridgelines project following meetings held on January 20 and February 1, 2016. On February 1, the Planning Commission had discussed Ridgeline Definition and Mapping, and Protecting Ridgelines, and had continued the following items to the current meeting.

Viewshed Protection
Building Size on Large Lots
Hillside Development Permits; and
Appointment of Planning Commission representatives to the Hillside and Ridgeline Steering Committee

Speaking to the process and whether a consensus on each of the policy options was being sought by staff and the consultant, Planning Director Ellen Clark stated the feedback received from the Planning Commission during the past two meetings had been very helpful, and in some cases echoed some of the feedback received from the Steering Committee. While not unanimous on all of the issues, there had been insightful comments provided by the Planning Commission.

Ben Noble, PlaceWorks, advised that he had not expected a consensus on all of the policy options, although there had been consensus on some of the options. The feedback from the Planning Commission would be forwarded to the Town Council,

which would make a decision on the direction for the preferred options, hopefully during a meeting in March.

Mr. Noble reiterated that the current meeting was a continuation of the discussion from the February 1 Planning Commission meeting on the remaining issues of the Hillsides and Ridgelines Project. This was the third meeting of the Planning Commission on the Hillsides and Ridgelines Project. During the February 1 meeting the Planning Commission discussed Ridgeline Definition and Mapping and Protecting Ridgelines. The remaining policy options to be discussed include: Viewshed Protection; Building Size on Large Lots; Hillside Development Permits; and the Appointment of Planning Commission representatives to the Hillside and Ridgeline Steering Committee.

- Viewshed Protection

Mr. Noble explained that Moraga's General Plan and Zoning Code identified several roadways in Moraga as scenic corridors, and General Plan Policy CD1.3 called for the Town to protect viewsheds along these scenic corridors. It was unclear what "protect" meant in the context of proposed projects located in visually prominent hillside areas as viewed from scenic corridors.

Mr. Noble presented options to address this issue. Option A: Prohibit development in visually prominent hillside areas as viewed from the Town's scenic corridors; Option B: Strengthen development standards to limit development in visually prominent hillside areas as viewed from the Town's scenic corridors; and Option C: Expand and improve design guidelines that apply to visually prominent hillside areas as viewed from the Town's scenic corridors. The public input received during the workshop, Open Town Hall survey, and the focus groups indicated strong but not unanimous support for prohibiting development in high visibility areas (Option A). In the focus groups, some participants expressed a strong preference for mandatory standards over advisory guidelines where development was allowed.

The Steering Committee recommended that the issue be addressed through the new recommended standards for Significant Non-MOSO Ridgelines and new design standards to address the ridgeline protection issue, and that no additional standards or restrictions on visually prominent hillside areas as viewed from scenic corridors would be needed; and that the definition of a Significant Non-MOSO Ridgeline combined with the new visual separation standard, combined with enhanced design standards and guidelines for hillside areas would be sufficient to address concerns with viewshed protection as related to visually prominent areas and hillside locations. Any additional steps beyond those already recommended to address that issue would be unnecessary.

Commissioner Woehleke clarified with Mr. Noble and Ms. Clark that the 500-foot buffer zone had been codified in the Zoning Ordinance and scenic corridor standards. When the issue had been defined with the Steering Committee during the process of identifying the issues, the Steering Committee had made a deliberate decision to define the issue in this way and had not included development occurring within the scenic corridor buffer as part of this discussion.

Ms. Clark added that the Steering Committee was of the opinion it was more important to focus on the character and effects on the hillsides and ridgelines than on those things occurring on the foreground that affected those views. She acknowledged the Planning Commission might have a different perspective from that of the Steering Committee.

Commissioner Kovac shared the same concerns as Commissioner Woehleke.

Mr. Noble again clarified the special policies and standards that applied within the 500-foot buffer zone of the scenic corridor, and stated the Zoning Ordinance included a requirement for heightened design review within the scenic corridor; and within the General Plan and Town Design Guidelines, policies and guidelines related to development within the 500-foot buffer zone, as well as development visible from the scenic corridor or viewshed.

Ms. Clark clarified that the 500-foot scenic corridor buffer was measured from the centerline of the street in question.

Commissioner Kovac suggested the issue of viewshed should consider the entire picture, not just the first 500 feet, to which Ms. Clark explained that the scenic corridor standards addressed that issue. She stated that among many other things, one of the considerations were views of distant land forms, ridgelines, and the like. To the extent anything would be visible in the area beyond the 500-foot distance, it would be covered in the scenic corridor standards.

Commissioner Woehleke pointed out that there was nothing in the Town's Design Guidelines that referenced a 500-foot buffer zone.

Ms. Clark advised that the 500-foot buffer is identified in the Moraga Municipal Code (MMC) and in the Scenic Corridor Guidelines. As to what areas would be affected, she referenced a map in the staff report which had shown the areas based on a computer generated analysis.

Commissioner Kovac commented that during the February 1 Planning Commission meeting, there had been discussions on visual impacts from any public area, although Ms. Clark advised that would be a new standard to be applied if the Town Council adopted an approach based on a vision plane approach. The Steering Committee had recommended, based on a suggestion, that if the Town adopted more stringent and complete standards and guidelines intended to protect the visual quality of hillsides it would also achieve the goal of viewshed protection from the scenic corridors. The recommendation had been based upon some example standards, with a recommendation such an approach be initiated.

While the Planning Commission could take a different approach and could recommend both standards, the Steering Committee had not felt that was necessary but it could be something the Planning Commission wanted to discuss, whether the hillside design standards as discussed were adequate to protect the hillsides or whether something more significant or more substantial was needed to address the scenic corridors.

Commissioner D'Arcy spoke to the February 1 Planning Commission discussions on the vertical separation standards and the vision plane, and the consultant's statement that the vision plane and vertical separation had been tried and tested. She questioned the studies that had been used to make that determination and to whose satisfaction.

Mr. Noble described the process with input from the Planning Commission and ultimately direction from the Town Council whether to move forward with a more detailed preparation of the specific standards, at which point there would be an opportunity to look at them more closely to determine whether it would work for Moraga, and consider visual tools to what development would be allowed or prohibited under the standards.

Commissioner D'Arcy suggested it would be better to combine the 500-foot buffer scenic corridor zone, and also to protect the ridgelines with additional regulations because the vertical separation and vision plane criteria were too subjective in terms of protecting ridgelines. She was aware the public also wanted strong protections in place to protect the open zone.

PUBLIC HEARING OPENED

Joan Bruzzone, Moraga, questioned the legality of the action proposed as part of Option A, and asked how that would work in terms of eminent domain and/or the absence of property owner consent.

Dave Bruzzone, Moraga, spoke to the map as part of the discussion and suggested the map made no sense; questioned the computer simulation that had been used to identify Indian Ridge; asked whether existing vegetation and buildings had been taken into consideration; and questioned the accuracy of the visual representations. He suggested the discussion represented a change to the standards to include more roads. He noted the 500-foot scenic corridor buffer was not intended to prohibit development, but pertain to building standards allowed within that area.

Mr. Bruzzone identified the northeastern corner of the Bruzzone family's Bollinger Valley property and doubted it would be visible. He referenced an Environmental Impact Report (EIR) which had previously been prepared for the Bollinger Valley property and explained that the Bruzzone family was making application for development. He expressed concern that a change had now been proposed that would affect that application, which was unfair and inappropriate. He emphasized the EIR prepared for the Bollinger Valley property had gone through a greater analysis than the current project and had not identified any significant visual impacts.

Kip Bruzzone, Moraga, had little faith in the process; questioned the accuracy of the numbers under discussion; suggested the process was a charade to limit growth and change the standards; and that the new regulations would make it too expensive for anyone to build. He questioned the basic concepts, such as viewsheds, which had been around for some time, and objected to any new standards that would be applied retroactively.

PUBLIC HEARING CLOSED

Commissioner Kuckuk expressed concern that a zone change would represent a potential taking of property. She could not support a prohibition on development. Although the public indicated a strong desire for mandatory standards over advisory guidelines, she suggested this was an area where it was good to have discretion given the differences in building sites in Town, whether or not the property was visible from the scenic corridor. Not opposed to the recommendation from the Steering Committee, she disagreed that no additional standards or regulations would be needed if non-MOSO Ridgeline standards were implemented. She found that this issue would likely be a continued point of confusion for the public, many of whom were of the opinion that no development at all would be allowed if a structure broke the silhouette of a ridgeline from any point. She sought some discretion, did not support absolute prohibitions on development, and found that Options B and C made some sense.

Commissioner Woehleke agreed with Commissioner Kuckuk. He too did not favor zoning restrictions prohibiting development as a blanket, and agreed with Mr. Bruzzone there had to be some judgment to decide what was visually prominent and what needed to be protected. While he could not comment specifically on this policy option given the new regulations had not been determined, and given that the current Design Guidelines did not speak to the 500-foot buffer zone, the proposed approaches could be abused which raised concerns. He did not suggest that the Scenic Corridor Guidelines be used to prohibit projects; he found those guidelines to be aspirational, correct, and if applied made sense, although that was not what was being experienced with some of the projects that had been proposed in Moraga. In this case, he suggested opportunity may be missed to ensure the regulations are properly applied.

Mr. Noble understood that Commissioner Woehleke was suggesting that in order to address the viewshed protection issue adequately, the Town needed to revisit the standards and guidelines that applied to development within the 500-foot buffer zone.

Commissioner Woehleke affirmed Mr. Noble's understanding, and noted that the current Design Guidelines would allow landscape plantings in the buffer zone, which could completely screen the ridgeline behind it, and still meet the guideline. He questioned whether that approach was desired and whether it would meet anyone's expectations.

Commissioner Kovac suggested that expecting vegetation to hide a potential monolithic construction project was not the right approach given that vegetation would come and go. He cited the Los Encinos development which had used vegetation to hide the visual prominence of structures, an option that had not worked well with since the landscaping had not been maintained. He sought a prescriptive process as opposed to guidelines, and a unified document that identified what was and was not allowed. While he acknowledged the comments from Commissioner Kuckuk with respect to development that broke the silhouette of a ridgeline from any point, he suggested that development could occur as long as it was below the ridgeline.

Ms. Clark clarified the discussion was whether a structure in an intervening area between the scenic corridor and a view of a ridgeline beyond should be regulated, or whether the existing regulations should be amended as part of this process.

Commissioner Kovac suggested the process would presumably prohibit a structure on a ridgeline, and further suggested that issue should be cleared up in terms of what was and was not allowed, otherwise the process would be longer than necessary and harder and more expensive for applicants/developers, and further complicate issues for the Planning Commission, Design Review Board (DRB), and the Town Council. He stated if a development was built on a ridgeline and visible from the scenic corridor, there needed to be some guidelines or design standards in place to ensure a harmonious visual environment. He found that the closest approach he could support at this time would be Option B.

Chairperson Marnane liked Option C and found that the Steering Committee recommendation meant that this item ought to be as one with the new standards for Significant Non-MOSO Guidelines, and should not be a separate item but be combined to avoid conflict. He agreed that the Design Guidelines were subject to abuse, but that it was the function of the Town's Boards and Commissions and the Planning staff to ensure that the Design Guidelines were properly applied to prevent such abuse.

- Building Size on Large Lots

Mr. Noble reported that the Town's Design Guidelines established a maximum Floor Area Ratio (FAR) for single-family homes for lots up to a maximum 20,000 square feet. The Design Guidelines had not established a quantified maximum FAR for lots greater than 20,000 square feet and had not limited the size of homes on larger lots except through standards such as height, setbacks, lot coverage, and qualitative guidelines such as neighborhood compatibility. He identified the following options to address this issue. Option A: Establish a maximum FAR for lots greater than 20,000 square feet; Option B: Establish a maximum square-footage for any single-family home regardless of lot size; and Option C: Make no changes to the existing regulations.

Mr. Noble stated when the issue had been discussed in the public the majority had shown support for Option A, although there had been some concerns with examples of homes that the public found were too large for the setting. The focus groups had expressed a desire for a consistent approach for FAR lots in Moraga regardless of size, with concern that some sets of rules applied to lots less than 20,000 square feet with a different set of rules for larger lots, with concern for the inconsistency.

Mr. Noble walked through Table 1 as shown on Page 9 of the staff report, which illustrated the approach for Option A, which would specify a maximum floor area for lots greater than 20,000 square feet using an FAR formula similar to that currently used for lots 20,000 square feet or less. The approach allowed for progressively larger homes on lots up to a maximum floor area of 7,000 square feet, which would then be the maximum or cap regardless of lot size

Mr. Noble advised that the Steering Committee had not reached a consensus on the issue and instead had recommended forwarding the following three options to the Planning Commission and Town Council for consideration:

1. Specify a maximum floor area for lots greater than 20,000 square feet using a FAR formula similar to that currently used for lots 20,000 square feet or less (Original Option A);
2. Specify a maximum floor area for lots greater than 20,000 square feet using an FAR formula similar to that currently used for lots 20,000 square feet or less, but apply the limit only to homes in a hillside area visible from a public place (Modified Option A); and
3. Make no change to existing FAR regulations (Original Option C).

Commissioner D'Arcy spoke to a home at 226 Rheem Boulevard that was located on MOSO land, was huge, visible and prominent in the neighborhood, and was visible in the scenic corridor. She understood that there must be some sort of integration in the neighborhood pursuant to the MMC. She supported the second option, Modified Option A, which would allow a large home if not visible on an acre of land, and which would require compliance with the Moraga Open Space Ordinance (MOSO). In terms of the FAR, she inquired whether it would apply to the footprint of the home or to the hardscape connection to the home.

Ms. Clark advised that the FAR would include all of the square footage of the main home and an attached or detached garage, along with accessory structures with some applicability if above a certain size if it contributed to the FAR. A guest home would also count in the FAR.

Commissioner Kuckuk asked staff to clarify that some area of the Town had established FARs for lots in excess of 20,000 square feet as part of the Precise Development Plan (PDP) for Palos Colorados, which Ms. Clark affirmed had occurred for that project only. Some homes in Rancho Laguna II also included maximums on the size of the homes as part of its Planned Development (PD) approval.

Commissioner Kovac cited Page 67 of the documentation provided which had shown that a 1,900 square foot home on a zero square foot lot would be allowed. He suggested that the table should be cleaned up with regard to the lower end of the FAR. For the upper end of the FAR, he cited the workbook which had limited the FAR to 8,000 square feet as part of Option A, and having charted out the slope to 5,000 to 20,000 square feet, the redline was Option A, which had taken a bump up to, and rather would recommend what he defined as "Option A Prime" following the natural progression of Table 1 as contained in the staff report, and level it off asymptotically to (perhaps) approximately 5,000 square feet.

Commissioner Kovac otherwise suggested that Option 2, Modified Option A, should be left as Option A, and for those who wanted to build a large home in a location where it would not be visible could be required to file for a variance. Based on his experience on

the Planning Commission, the maximum FAR had become the norm. He would like to see it kept more in-line with the progression in the existing FAR table.

Commissioner Woehleke commented that, pursuant to the data, the existing FAR Guidelines allowed expansion beyond 20,000 square feet.

Mr. Noble explained that the most important thing was to receive input on the general concept, and if the Planning Commission supported the concept of extending the FAR limitations above 20,000 square feet that would be important input. If such an approach was supported by the Planning Commission and Town Council, the consultant would continue to work with the numbers.

Ms. Clark added the table had been intended to be illustrative, and the intent was that it would be refined.

PUBLIC HEARING OPENED

Dave Bruzzone, Moraga, commented that there were FAR Guidelines already in place, and the discussion was now considering revisions to the FAR, which had nothing to do with MOSO. He suggested the discussion represented legislative creep and questioned what it had to do with the hillsides and ridgelines study. He added that integration into the neighborhood was important, and if a home was noticeable and intrusive to a neighborhood that was an issue when the DRB should become involved. He suggested a chart precluding development was not necessary, even if based on size, which was the reason for the DRB process. He added that the referenced homes at 226 Rheem Boulevard and Paseo Linares were in MOSO and had different parameters for development.

Mr. Bruzzone questioned the imposition of rules on development where standards already applied, which was not good planning or good policy, potentially driving away future investment in the community.

Commissioner D'Arcy understood the FAR discussion was about MOSO lands, to which Ms. Clark affirmed that had been where the discussion had begun with the Steering Committee.

Mr. Noble understood, however, the Planning Commission's intent was that the proposed approach be Town-wide.

PUBLIC HEARING CLOSED

In response to Commissioner Kovac, Ms. Clark advised that the current FAR Guidelines included provisions to control the massing of the building envelope, and for two-story spaces, with or without an intervening floor would count as twice the FAR. There was a strict set of standards to establish FAR and there was no recommendation to change that methodology at this time.

Commissioner Kovac supported Option A with a modified curve.

Commissioner Woehleke agreed with the need to allow flexibility to go above or below the FAR, and agreed that with a certain size lot, such as a full acre, an applicant should have more flexibility. He sought assurance that the FAR was not a guaranteed number, and acknowledged there would be cases where the FAR would be greater than allowed. He did not oppose an upper limit with two or three acres, which would then depend on the DRB or the Planning Commission to determine the maximum FAR.

Commissioner Kuckuk agreed there was an upper end and where the building site could determine the fit. She liked the idea of equity up to about an acre, following a curve that did not continue with a steep upward slant. She was uncertain of the benefits to the Town if implementing Options A or B because once it was shown as a guideline it would be seen as an entitlement, which had been an issue in the past. If expanded, she did not support going beyond an acre. She preferred a more level curve as proposed by Commissioner Kovac but questioned whether this component of the hillsides and ridgelines discussion should be considered at all given the unknown benefits.

Commissioner D'Arcy was concerned with existing neighborhoods with 20,000 and 22,000 square foot parcels and those who wanted to buy and rebuild to the maximum allowed by taking the guideline as an entitlement, which had occurred with Vista Encinos and which had resulted in neighborhood opposition. She did not want to see oversized homes be built on small lots in existing neighborhoods.

Chairperson Marnane questioned whether this topic should have been included in the hillsides and ridgelines discussion. He suggested it was a solution looking for a problem. The Town had guidelines for form, fit, function, compatibility, and appropriateness to an area, and he saw no need for this effort. He did not want to make any changes to the existing regulations and proposed removing this item entirely from the subject discussion.

- Hillside Development Permits

Mr. Noble explained that a Hillside Development Permit (HDP) was required to “clear, construct upon, or alter” land with a slope of 20 percent or greater. The HDP requirement was included in MMC Chapter 8.136, and although it had been updated it was one of the original zoning chapters carried over from the County Code when the Town had incorporated. Many of the provisions of this chapter pre-dated the adoption of more recent regulations including the MOSO Initiative, Design Review/Design Guidelines, and the Grading Ordinance. There was a need to consider whether the Town should modify the HDP requirement given the other regulations and permit requirements that also applied to hillside development projects. He added that the Town also needed to consider whether HDPs should continue to be required for minor projects such as small retaining walls, small accessory buildings, or additions on developed single-family lots.

The following options were identified to address this issue: Option A: Eliminate the HDP requirement; Option B: Exempt developed single-family lots from the HDP requirement;

Option C: Exempt projects requiring other discretionary permits from the HDP requirement; or Option D: Maintain the HDP requirement as it is today.

Mr. Noble advised that the Town had received public input on this issue through the Open Town Hall, although the issue had not been discussed in the workshop or focus groups. Comments generally supported maintaining the HDP requirement (Option D), though some supported exemptions for single-family lots and projects requiring other discretionary permits (Options B and C).

The Steering Committee had recommended the elimination of the HDP requirement provided it could be shown that the regulatory protections offered by the HDP were adequately provided by other permits. Town staff believed that the regulatory protections offered by the HDP were adequately provided by other permits. Virtually all projects involving development, grading, or construction on sites with slopes of 20 percent or greater were subject to approval of a Grading Permit and/or design review, or were processed as part of a larger subdivision approval that often involved review under MOSO and included California Environmental Quality Act (CEQA) review. With those requirements, most of which post-dated the HDP provisions, the HDP now appeared to be redundant.

In response to the Chair, Mr. Noble reiterated the public input on this topic based on input from the on-line survey. He speculated that the respondents were of the opinion they did not want to lose the HDP as a tool for the rare project that was not subject to some other discretionary permit, with the thought the permit would apply to new development on vacant lots and it was not appropriate or necessary to have developed lots require an HDP.

Ms. Clark stated that based on her experience, the HDP tended to replicate the findings and analysis required through other discretionary approvals. Her experience had always been that the HDP felt redundant and repetitive, adding little value to the review process, and burdensome for many applicants.

Responding to Commissioner Woehleke's request for a point-by-point comparison as to how the HDP would be supported by the new standards, Ms. Clark noted that the Steering Committee had recommended the HDP permit requirement be eliminated provided it could be shown that the regulatory protections offered by the HDP were adequately provided by other permits. She commented that the threshold requiring a Grading Permit was very low, and agreed that before a final decision was made the issue should be evaluated more closely.

Commissioner D'Arcy agreed with Commissioner Woehleke that if the HDP was eliminated, a point-by-point comparison should be done as to how the HDP would be supported by the new standards to be sure that nothing was lost in the process.

Commissioner Kovac clarified that the Town had only one project in the last year which required an HDP and Ms. Clark affirmed the HDP process would not have added any value to the project referenced which had involved a great deal of scrutiny given the potential impacts, and range of other permits required.

Commissioner Kovac would like have seen a comparison of what projects had required an HDP and the potential benefits.

PUBLIC HEARING OPENED

There were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Kuckuk strongly supported the Steering Committee's recommendation; Commissioner D'Arcy sought a point-by-point comparison as to how the elimination of the HDP could be supported by the new standards, and until that was done she could not support the Steering Committee's recommendation; Commissioner Kovac concurred with Commissioner D'Arcy; Commissioner Woehleke also opposed a duplication of the process but sought the basic comparison before a decision was made, and did not support the elimination of the HDP until that work was done; and Chairperson Marnane understood there was consensus for the HDP to be removed subject to a request for additional information on what would take its place.

- Appointment of Planning Commission representatives to Hillside and Ridgeline Steering Committee

Ms. Clark advised of the need for Planning Commission representation to the Hillside and Ridgelines Steering Committee to replace those Planning Commissioners who were no longer active on the Planning Commission, and in response to a suggestion from one Town Councilmember to revise the Committee Charter and appoint active Planning Commissioners. The Town Council had not actively opined on the issue, although staff intended to bring the charter amendments to the Town Council in the next few weeks. Action would also allow the Steering Committee to return to its work after Town Council review of the Planning Commission's input on the project. A copy of the current Hillside and Ridgelines Steering Committee Charter was provided to the Planning Commission.

Planning Commissioners Kuckuk and Woehleke volunteered to serve on the Hillside and Ridgelines Steering Committee.

Ms. Clark commented it was likely the Hillside and Ridgelines Steering Committee would meet on four to five occasions given the volume of work over the next four months or so. The schedule had yet to be finalized based on direction from the Town Council. She recognized that some Planning Commission terms were due to expire, and until the Town Council affirmed appointments a decision on this matter could be deferred to a Planning Commission meeting in March.

Ms. Clark also responded to Commissioner Woehleke's inquiries about the intent and purpose of the Hillside and Ridgelines Steering Committee. She explained that the Committee Charter had been written broadly, with little idea at the time of the direction in which the effort would go, and with the Steering Committee and the Town Council

having discussed the scope of the project and its intent, which had been well defined in order to bracket the work being done.

On motion by Chairperson Marnane, seconded by Commissioner D'Arcy to select Commissioners Kuckuk and Woehleke to serve on the Hillsides and Ridgelines Steering Committee, subject to their continuation on the Planning Commission. The motion carried by the following vote:

Ayes: Commissioners D'Arcy, Kovac, Kuckuk, Woehleke, Marnane
Noes: None
Abstain: None
Absent: Commissioner Mallela

6. ROUTINE AND OTHER MATTERS

- A. February 1, 2016 Minutes**
- B. January 20, 2016 Minutes**

Ms. Clark advised that the minutes from the January 20, 2016 meeting had been discussed by the Planning Commission on February 1, 2016, with some amendments proposed although no motion for adoption had been offered.

Commissioner Kovac requested a revision to the second to last paragraph of Page 27 of the minutes of the January 20, 2016 meeting, to read:

Commissioner Kovac requested that staff review any presentation prior to its presentation to the Planning Commission to ensure its appropriateness.

Ms. Clark affirmed that the changes proposed during the February 1 meeting would also be reflected in the amended January 20, 2016 minutes.

On motion by Commissioner Woehleke, seconded by Commissioner Kuckuk to approve the minutes of the January 20, 2016 meeting, as amended. The motion carried by the following vote:

Ayes: Commissioners D'Arcy, Kovac, Kuckuk, Woehleke, Marnane
Noes: None
Abstain: None
Absent: Commissioner Mallela

Commissioner Woehleke requested an amendment to the second to last paragraph of Page 5 of the February 1, 2016 meeting minutes, to read:

He [Commissioner Woehleke] suggested there was no basis communicated for choosing what had been chosen.

Commissioner Kovac requested an amendment to the first sentence of the paragraph under Planning Commission Reports, as shown on Page 20:

Commissioner Kovac reported that he had gone on a walking tour of the Bruzzone property with some of the MCSP Steering Committee representatives, which had been enlightening, and he thanked Ms. Clark for arranging that tour.

On motion by Commissioner Woehleke, seconded by Commissioner D'Arcy to approve the minutes of the February 1, 2016 meeting, as amended. The motion carried by the following vote:

Ayes: Commissioners D'Arcy, Kovac, Woehleke
Noes: None
Abstain: Commissioners Kuckuk, Marnane
Absent: Commissioner Mallela

7. REPORTS

A. Planning Commission

Commissioner Kuckuk reported that while she had been unable to attend the February 1 Planning Commission meeting, she had submitted written comments to staff on the Hill-sides and Ridgelines Project policy options that had been discussed at that time, although her comments had apparently been way-laid. She read into the record her comments at this time and again submitted those comments in writing to staff.

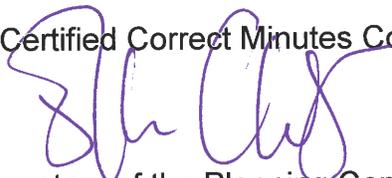
B. Staff

Ms. Clark reported that the Town Council would receive a presentation on the Hill-sides and Ridgelines Project on either March 10 or March 30, 2016; the DRB decision to approve a project at 227 Rheem Boulevard had been appealed and would be considered by the Planning Commission at the end of March; and the Town's existing regulations for existing home businesses had been discussed by the Town Council months ago with direction to define standards for home-based wineries. Mr. Noble and staff would meet with the affected parties in the wine growing industry and neighbors to craft draft regulations to integrate into the MMC, to be brought to the Planning Commission in March.

8. ADJOURNMENT

On motion by Commissioner Kuckuk, seconded by Chairperson Marnane and carried unanimously to adjourn the Planning Commission meeting at approximately 9:10 P.M.

A Certified Correct Minutes Copy



Secretary of the Planning Commission