



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

TOWN OF CORTE MADERA PLANNING COMMISSION AGENDA

Tuesday, October 25, 2022, 7:00 PM

This meeting will take place in person, with video/teleconference option

NOTICE TO PUBLIC:

The Corte Madera Planning Commission may meet by teleconference, in-person, or in a hybrid manner, consistent with the Brown Act as amended by AB 361 (2021).

Members of the public may attend the meeting in person at 240 Tamal Vista Blvd., Suite 108, or view and participate in the meeting remotely through the following link: <https://us06web.zoom.us/j/84104397707>

(No Pre-Registration Needed - Click on Link at Meeting Start Time)

You may call in using: 1 (408) 638-0968 (Zoom webinar ID: 841 0439 7707)

Or iPhone one-tap: +14086380968, 84104397707#

Submit public comment by:

1. Emailing publiccomment@tcmmail.org prior to 5:00 P.M. on the day of the meeting.
2. Attending the meeting in-person at the Interim Council Chambers, 240 Tamal Vista Blvd., Suite 108, Corte Madera
3. Selecting the "Raise Hand" icon in the Zoom meeting, or dialing *9 if calling in to the meeting.

Click [here](#) for information on how to attend the meeting in person, participate remotely or submit public comment.

To download the complete agenda packet for this meeting, visit our archive center by clicking [here](#).

1. OPENING

- A. Call to Order
- B. Roll Call
- C. Salute to the Flag

2. PUBLIC COMMENT

The public is invited to address the Planning Commission on any matter in the Commission's jurisdiction, except for items scheduled for continued or new hearings. Comments are limited to three minutes per speaker.

3. CONSENT CALENDAR

All items placed on the consent calendar may be acted on collectively on a motion by any Commissioner, and each shall be deemed to have received the action recommended by staff. Any Commissioner or member of the public may request the removal of any item from the consent calendar and it will then be considered last under "New Hearings".

- A. None

4. CONTINUED HEARINGS

- A. None

5. NEW HEARINGS

- A. **SENATE BILL 9 ORDINANCE** - PUBLIC HEARING TO CONSIDER PROPOSED ORDINANCE AMENDMENTS RELATED TO THE SUBDIVISION AND DEVELOPMENT OF QUALIFIED SENATE BILL 9 (SB 9) PROJECTS AND AMENDING PORTIONS OF TITLE 17 (SUBDIVISIONS), TITLE 18 (ZONING), AND TITLE 22 (OBJECTIVE

6. BUSINESS ITEMS

- A. SHORT TERM RENTALS WORKSHOP - DISCUSSION OF REGULATION OF SHORT-TERM RESIDENTIAL RENTALS (STRS) (Consulting Planner Robert Brown)**
-

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

- i. Commissioners
- ii. Planning Staff
- iii. Tentative Agenda Items for the **Wednesday, November 9, 2022** Planning Commission Meeting (Note meeting date change)
(PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)
 - a. Housing Working Group Rezoning Study Session
- iv. Future Agenda Items
(PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)
 - a. None

B. MINUTES

- i. Planning Commission Meeting Minutes of September 13, 2022
 - ii. Planning Commission Meeting Minutes of September 27, 2022
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8. ADJOURNMENT

To the next Planning Commission Meeting which will be held on **Wednesday, November 9, 2022 at 7pm.** (Note meeting date change)

TO ACCESS PLANNING COMMISSION PACKET MATERIALS AND STAFF REPORTS, VISIT:

<http://www.townofcortemadera.org/Archive.aspx?AMID=41>

PROCEDURAL NOTES

1. ALL DOCUMENTS RELATING TO AGENDA ITEMS ARE AVAILABLE FOR PUBLIC REVIEW IN THE PLANNING DEPARTMENT OF THE TOWN OF CORTE MADERA OFFICES AT 240 TAMAL VISTA BLVD., SUITE 110, BETWEEN THE HOURS OF 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY, VIA APPOINTMENT OR BY CONTACTING STAFF <https://tinyurl.com/y2zzpk98>. STAFF REPORTS ARE NORMALLY AVAILABLE ON FRIDAY AFTERNOON PRECEDING THE TUESDAY MEETINGS. IT IS RECOMMENDED THAT YOU CONTACT THE PLANNING DEPARTMENT FOR AVAILABILITY.
2. EACH PERSON DESIRING TO SPEAK ON A PUBLIC HEARING ITEM WILL BE GIVEN AN OPPORTUNITY AT THE APPROPRIATE TIME. PLEASE STATE YOUR NAME AND ADDRESS AS THE MEETING IS BEING RECORDED.
3. **APPEAL** - FOLLOWING ACTION BY THE PLANNING COMMISSION AT A PUBLIC HEARING OR MEETING, ANY DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE TOWN COUNCIL WITHIN TEN (10) CALENDAR DAYS. APPEAL FORMS ARE AVAILABLE AT THE PLANNING DEPARTMENT, CORTE MADERA TOWN HALL OR AT <https://tinyurl.com/appealCMform>. A \$300 FILING FEE IS REQUIRED.
4. IF YOU CHALLENGE THE ACTION OF THE PLANNING COMMISSION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS AGENDA, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TOWN AT OR PRIOR TO THE PUBLIC HEARING.
5. IT IS THE PLANNING COMMISSION'S POLICY TO ADJOURN ALL MEETINGS BY 10:00 P.M. UNLESS THE COMMISSION VOTES TO EXTEND THE MEETING

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (415) 927-5064. For auxiliary aids or services or other reasonable accommodations to be provided by the Town at or before the meeting, please notify the Planning Department at least 3 business days (the Thursday before the meeting) in advance of the meeting date. If the Town does not receive timely notification of your reasonable request, the Town may not be able to make the necessary arrangements by the time of the meeting.

ITEM 5A

SENATE BILL 9 ORDINANCE - PUBLIC HEARING TO CONSIDER PROPOSED ORDINANCE AMENDMENTS RELATED TO THE SUBDIVISION AND DEVELOPMENT OF QUALIFIED SENATE BILL 9 (SB 9) PROJECTS AND AMENDING PORTIONS OF TITLE 17 (SUBDIVISIONS), TITLE 18 (ZONING), AND TITLE 22 (OBJECTIVE DESIGN & DEVELOPMENT STANDARDS) OF THE CORTE MADERA MUNICIPAL CODE (Senior Planner Martha Battaglia)

**Planning Commission Meeting
October 25, 2022**

ITEM 6A

**SHORT TERM RENTALS WORKSHOP - DISCUSSION OF
REGULATION OF SHORT-TERM RESIDENTIAL RENTALS (STRS)**
(Consulting Planner Robert Brown)

**Planning Commission Meeting
October 25, 2022**



CORTE MADERA PLANNING COMMISSION STAFF REPORT

Report Date: October 20, 2022
Meeting Date: October 25, 2022

TO: Planning Commissioners
FROM: Robert Brown, Consulting Planner
SUBJECT: Discussion of Regulation of Short-Term Residential Rentals (STRs)

* * * * *

RECOMMENDED ACTION:

Staff recommends that the Planning Commission provide staff direction and recommendations regarding whether the current prohibition on Short-Term Residential Rentals (STRs) should be continued or whether adoption of regulations to allow STRs should be considered.

BACKGROUND:

The Town Council, in both their 2018 and 2020 Strategic Plan discussions included addressing STR policies and options as a quality of life issue for the community. The Town has created a [Short Term Rentals](#) page on its website that has background reports and meeting videos.

Currently, the Town's Municipal Code does not including provisions for short-term rentals (either individual rooms or entire dwellings) in single-family zoning districts. Bed and breakfast inns are allowed in the R-2 and R-3 Districts with issuance of a Use Permit.

With the advent of online STR websites such as Airbnb and VRBO a number of homes in Corte Madera have been listed as available for short-term rental. With data from an STR compliance software company the average number of online listings on various sites is approximately 30 at any one time. Some of these might be dated listings that owners have not removed but are no longer offering the rental.

Enforcement of illegally operating STRs would occur based on public complaints. The Police Department does not separately classify calls for service for complaints related to STRs, so there is no available data on whether STRs have resulted in police enforcement. Enforcement by the Code Enforcement Division has also been minimal.

On June 8, 2022 the Town conducted a public workshop to discuss options for STRs. The online workshop had about 20 participants. The public opinion instrument used at the workshop was posted as an online questionnaire during the month of August. Postcard notices were sent to all households to participate in the online survey. A total of 549 responses were received to the questionnaire, which are summarized below and included as Attachment 1.

Summary of Existing STR Listings in Corte Madera

As noted above, data from an STR compliance software company indicated that there are on average about 30 STR listings in Corte Madera which vary seasonally. Almost all of these listings are in single-family homes, either rental of a portion of the dwellings (17%) or the entire dwelling (83%). The average nightly rental rate over all rentals was \$268.

Local Regulation of STRs

Jurisdictions in Marin take three different approaches to STRs:

- **Ban STRs:** Belvedere, Tiburon, Sausalito, Larkspur and Corte Madera currently prohibit STRs.
- **Allow STRs:** San Anselmo and Ross allow STRs with no specific regulations.
- **Regulate STRs:** Mill Valley, San Rafael, Novato, Fairfax and Marin County allow STRs, subject to registration and defined regulations.

The following table provides a comparison of the jurisdictions that regulate STRs. A more complete summary is included as Attachment 2.

Jurisdiction	No. of Registrants	Annual Tax and Fee Revenue
Mill Valley	150 average	\$187,000 average
San Rafael	119	\$116,000
Novato	22	\$4,800
Fairfax	75 (est.)	\$33,750 (est.)
Petaluma	47	\$77,000
Marin County	705	\$5.5 M

Marin County has recently suspended the issuance of new STR registrations in western Marin due to the high demand for coastal vacation rentals and concern that the high proportion of short-term rentals may exacerbate permanent housing shortages and change the character of the small communities.

DISCUSSION:

Community Priorities

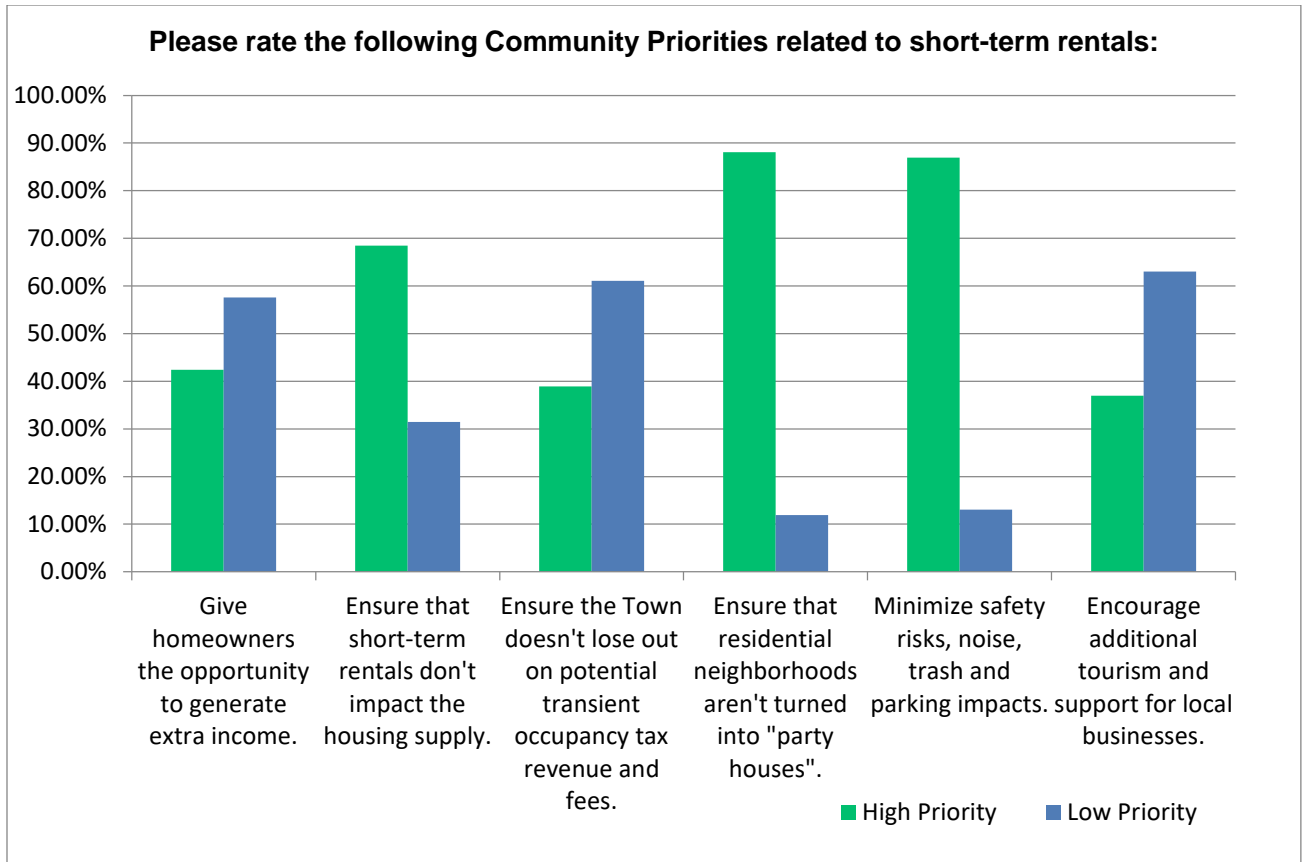
Consideration of STRs requires a balancing of several community priorities.

- **Impact on housing supply and neighborhood character:** In areas of high demand for vacation or business short-term rental, the removal of potential dwelling units from the

long-term housing market can impact the ability to house new residents and may increase local rental rates and sales prices. The influx of short-term rentals can also change the character of a neighborhood from one of mostly permanent residents to higher levels of transient occupants. These are concerns being debated in western Marin communities around Stinson Beach, Point Reyes and Bolinas Lagoon. Corte Madera is not positioned to have a very significant tourist draw which is mostly focused on the coastline, San Francisco and the wine country. Thirty STR units in Corte Madera would only constitute 0.7% of the community's housing stock.

- **Collection of Transient Occupancy Tax:** The Town's Municipal Code requires that occupancy of all hotel rooms (broadly defined to include virtually any room rental for periods of 30 days or less) remit a transient occupancy tax (TOT) rate of 12% of the rental rate to the Town. Illegally operated STRs do not contribute to the Town's TOT revenue and thereby have a competitive advantage over registered hotel facilities. To estimate potential TOT from 30 average STR rentals in Corte Madera requires estimates of the average rental rate and number of nights per year that the unit is rented. Assuming an average per night rental rate of \$268 and average rental of 20 nights per year per unit, the TOT generated would be approximately \$16,000 per year. This would not be a significant income stream to the Town and is well below the revenues generated by other Marin communities, so estimates of the frequency of rentals may be understated.
- **Nuisance Impacts:** Poorly supervised rentals can adversely affect neighbors in terms of noise, traffic, parking, garbage and safety impacts. Some communities have experienced serious problems with "party houses" with high occupancy levels, frequent rentals, loud use of outdoor spaces, excessive use of alcohol or recreational drugs and personal altercations. Communities that allow STRs attempt to preclude such impacts by restricting STRs through conditions of approval required for issuance or maintenance of an STR registration.
- **Revenue Generation:** Revenue from an STR can augment a property owner's income, including generating income when the property owner is away on business or vacation. Spin-off economic benefits of STR rentals for those visiting Corte Madera on vacation or business would also accrue to local restaurants and retailers. Again, given the limited number of estimated STRs anticipated in Corte Madera, this income generation is not expected to be a very significant portion of the local economy.

During the June 2022 workshop and in the subsequent online questionnaire, participants were asked to rate whether various community priorities related to STRs were either a high priority to address or a low priority. Of 549 total responses, the following table indicates the relative priorities:



Regulatory Options

Prohibit STRs: The Town can continue the current prohibition on STRs. Enforcement can continue on a complaint basis, or the Town could increase its enforcement capabilities by contracting with a firm that utilizes software to search the internet for local listings, with the ability to identify the address of an online posting, which greatly enhances enforcement potential.

Allow STRs without Regulations: The Town could consider allowing STRs as an allowed use, requiring registration by adopting no regulatory standards. Mill Valley has used this approach for over seven years and has experienced few issues with inappropriately operated STRs. This approach requires relatively little staff time and has generated significant amounts of TOT.

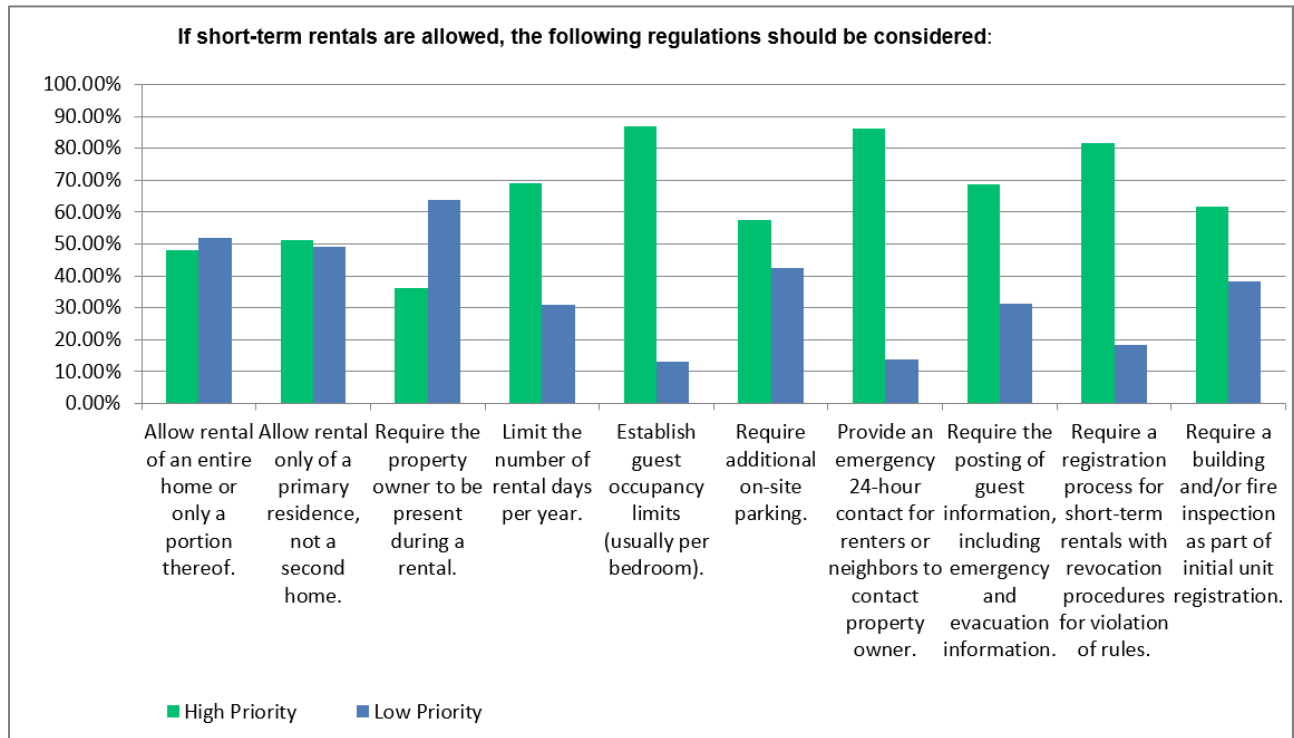
Allow STRs with Regulations: Numerous jurisdictions have chosen to register and regulate STRs rather than taking a largely hands-off approach. The summary of regulations imposed by local agencies that allow STRs is included as Attachment 2.

In responding to the question about whether the Town should continue to ban STRs, 47% of survey respondents supporting the ban while 53% said they could support allowing STRs if there were appropriate regulations.

The following is a listing of potential regulations that could be incorporated into a STR registration program:

- Limit on extent of home rental: An ordinance could limit rentals to only a portion of the home, such as a bedroom suite or detached guest house, but not an entire home. Many jurisdictions and state law preclude rental of approved Accessory Dwelling Units (ADUs). Another option is to allow rental of only a primary residence (as evidenced by a homeowner's exemption on the property tax role), and not a second home, to preclude purchasers of multiple homes solely for the purpose of creating short-term rentals.
- Owner-occupancy: San Rafael requires that hosts be present during the rental, occupying either a portion of the primary home or an ADU. San Francisco limit rentals of an entire single-family home to owners who reside in the home at least 275 days per year.
- Calendar-year cap: Some communities limit the number of short-term rental days allowed for each rental in a given year. Petaluma and San Francisco limits rentals to a maximum of 90 days per year.
- Maximum occupancy: Rental occupancy can be limited based on the number of bedrooms in the home. Common limitations are two persons per bedroom plus two persons for a common area. This can address large numbers of occupants using a home for a party.
- Geographical limits or permit cap: It is possible to place a cap on the maximum number of STR registrations allowed at any one time in the Town or to establish limitations on the number of registrations within defined neighborhoods or geographic areas.
- Parking requirements: Some jurisdictions allow STRs with existing parking at the residence, while others require the minimum number of spaces required in the Zoning Code for a single-family dwelling, while others require additional parking for an STR based on the number of bedrooms being rented or the occupancy limit.
- Emergency contact: Most ordinances require that the registrant provide a 24-hour emergency contact name and phone number in cases where enforcement is necessary. Some ordinances require that the emergency contact reside within the community or within a defined distance.
- Guest information: Many ordinances require that the host post prescribed information for use by tenants such as an emergency contact, evacuation information, occupant limits, parking requirements, trash disposal instructions and noise/curfew limits.
- Building/fire inspection: Some agencies require a building inspection to verify exit routes and smoke/carbon monoxide detectors, and some require that properties in the Wildland-Urban Interface have a fire inspection to verify minimum fire safety requirements such as distance between trees and the residence. Most allow STR applicants to submit a self-certification form with digital photographs rather than having to conduct on-site inspections, which would be expensive if fee-supported.
- Revocation provisions: All STR ordinances include provisions for rescinding the registration and termination of the use based on violations of the permit requirements or failure to accurately submit tax information and payments.

These potential operational requirements were shared with survey participants, asking for ratings of their importance:



Next Steps

Based on the direction provided by the Planning Commission, Staff will prepare a draft Ordinance for consideration and discussion at a future Planning Commission and/or Town Council meeting.

ENVIRONMENTAL IMPACT:

An ordinance regulating STRs would not be subject to the provisions of the California Environmental Quality Act (CEQA). The ordinance would be exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, which states that a project is exempt from CEQA when the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant impact to the environment. The necessary Municipal Code text amendments to permit and regulate STRs would not result in new construction or other physical changes or change the residential occupancy type for existing dwelling units and therefore it can be seen with certainty that there is no possibility the ordinance changes would have a significant effect on the environment.

RECOMMENDATION/OPTIONS:

Staff requests that the Planning Commission provide direction to staff on:

- 1a. Whether the Town should retain the current ban on STRs, and if so
- 1b. Whether the current level of complaint-based enforcement of the STR ban is adequate?
- 2a. Whether an ordinance should be drafted which would allow STRs, and if so
- 2b. What restrictions should be incorporated into a draft ordinance for consideration by the Planning Commission and Town Council?

ATTACHMENTS:

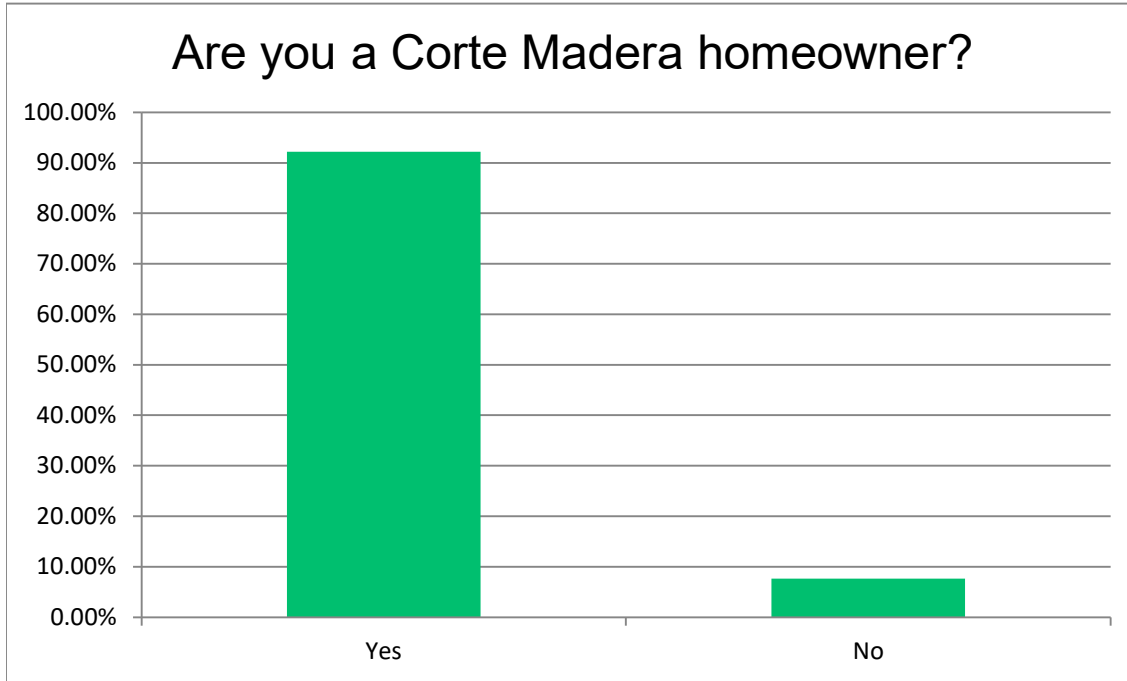
1. Summary of Community Survey on STRs – August 2022
2. Summary of Short-Term Rental Regulations in Marin County – June 2022

Attachment 1
Summary of Community Survey on STRs – August 2022

Short-Term Vacation Rentals Survey

Are you a Corte Madera homeowner?

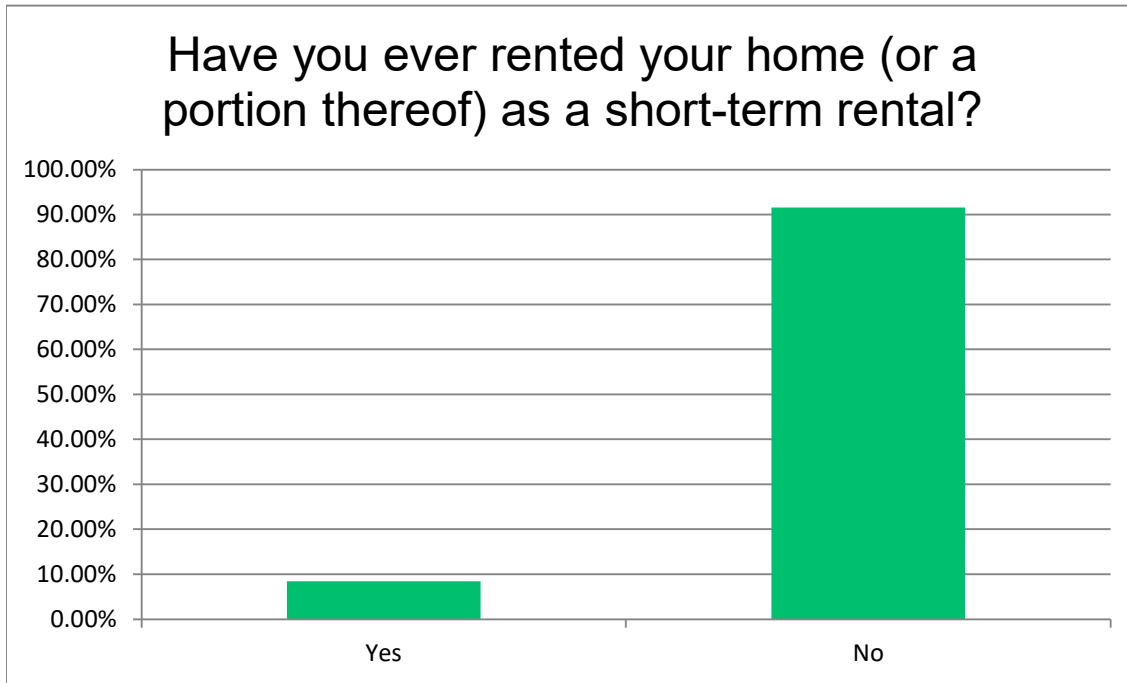
Answer Choices	Responses	
Yes	92.23%	507
No	7.65%	42
Answered		549



Short-Term Vacation Rentals Survey

Have you ever rented your home (or a portion thereof) as a short-term rental?

Answer Choices	Responses	
Yes	8.42%	46
No	91.57%	500
Answered		546



Short-Term Vacation Rentals Survey

Have you personally rented a short-term rental while on vacation or for business

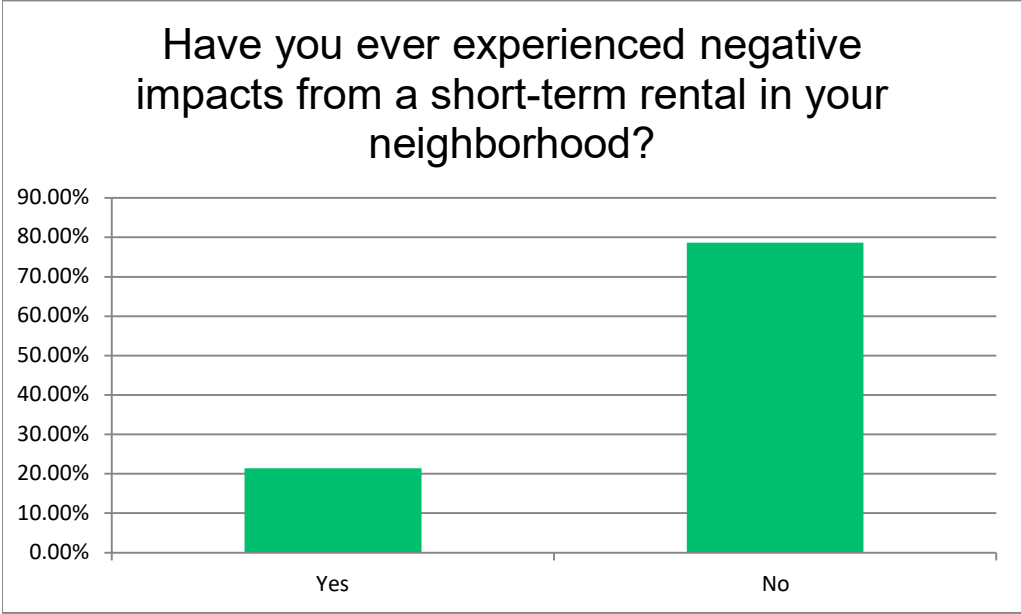
Answer Choices	Responses	
Yes	73.95%	406
No	26.05%	143
Answered		549



Short-Term Vacation Rentals Survey

Have you ever experienced negative impacts from a short-term rental in your neighborhood?

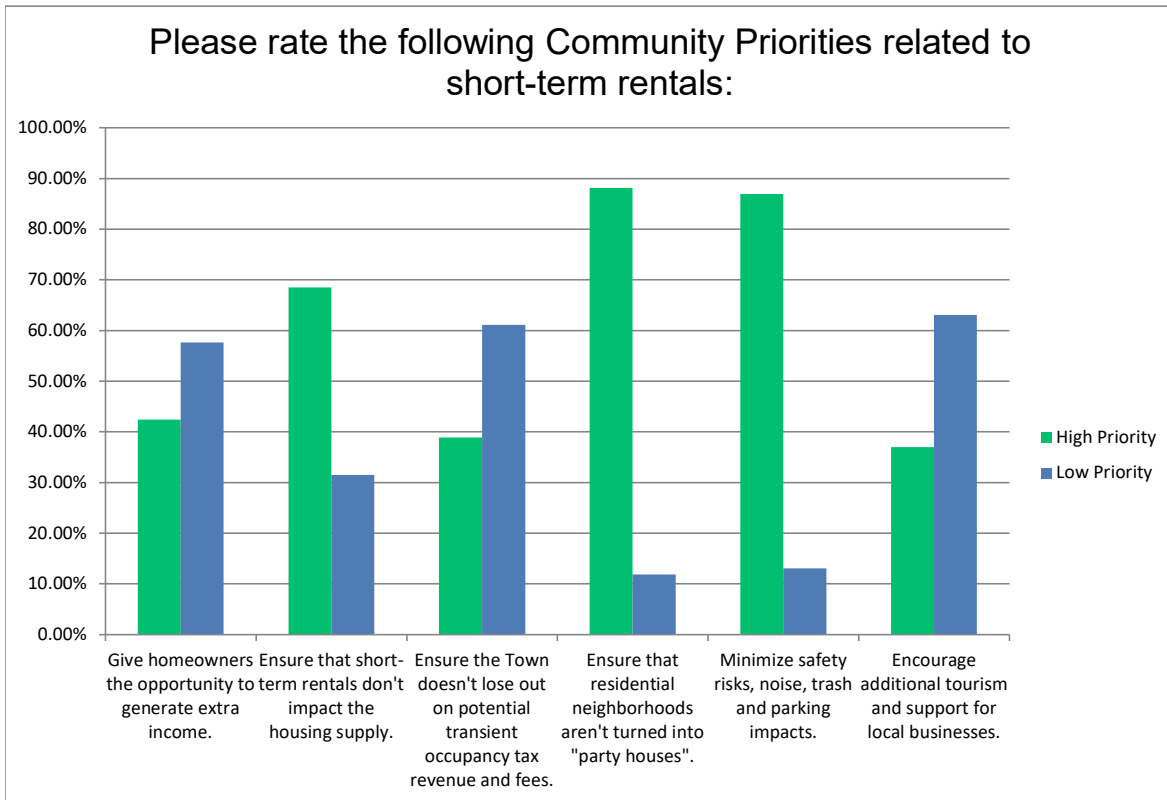
Answer Choices	Responses	
Yes	21.40%	116
No	78.60%	426
Answered		542



Short-Term Vacation Rentals Survey

Please rate the following Community Priorities related to short-term rentals:

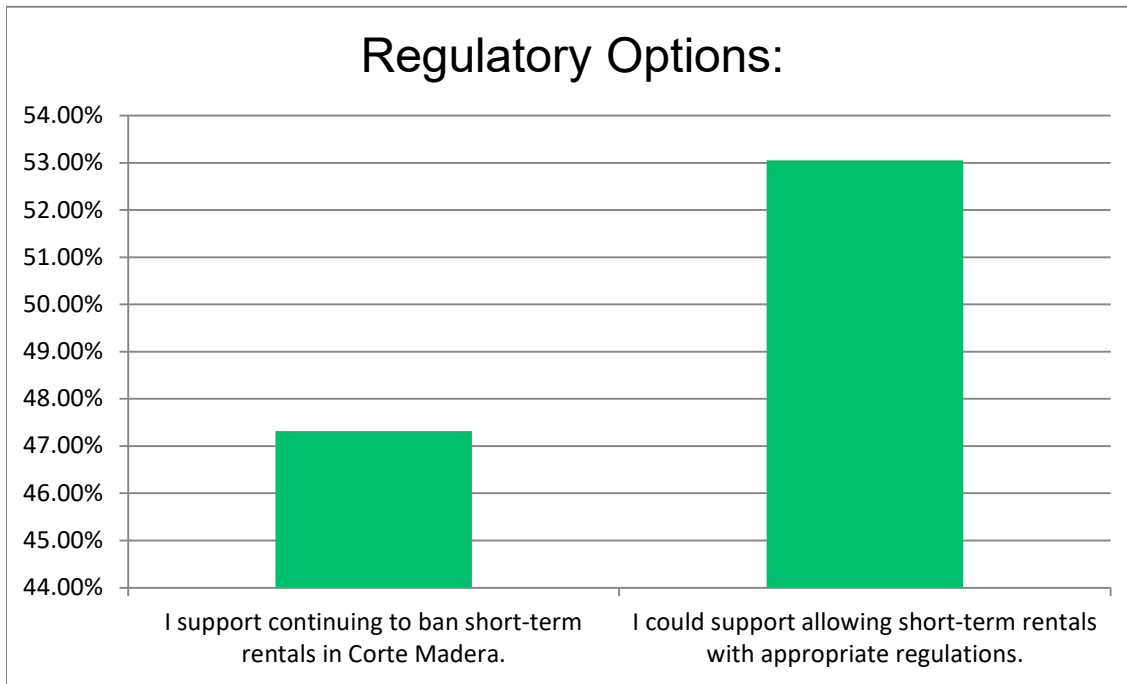
	High Priority		Low Priority		Total
Give homeowners the opportunity to generate extra income.	42.41%	232	57.59%	315	547
Ensure that short-term rentals don't impact the housing supply.	68.50%	372	31.49%	171	543
Ensure the Town doesn't lose out on potential transient occupancy tax revenue and fees.	38.89%	217	61.11%	327	544
Ensure that residential neighborhoods aren't turned into "party houses".	88.09%	481	11.90%	65	546
Minimize safety risks, noise, trash and parking impacts.	86.92%	472	13.08%	71	543
Encourage additional tourism and support for local businesses.	36.95%	201	63.05%	343	544
			Answered		547



Short-Term Vacation Rentals Survey

Regulatory Options:

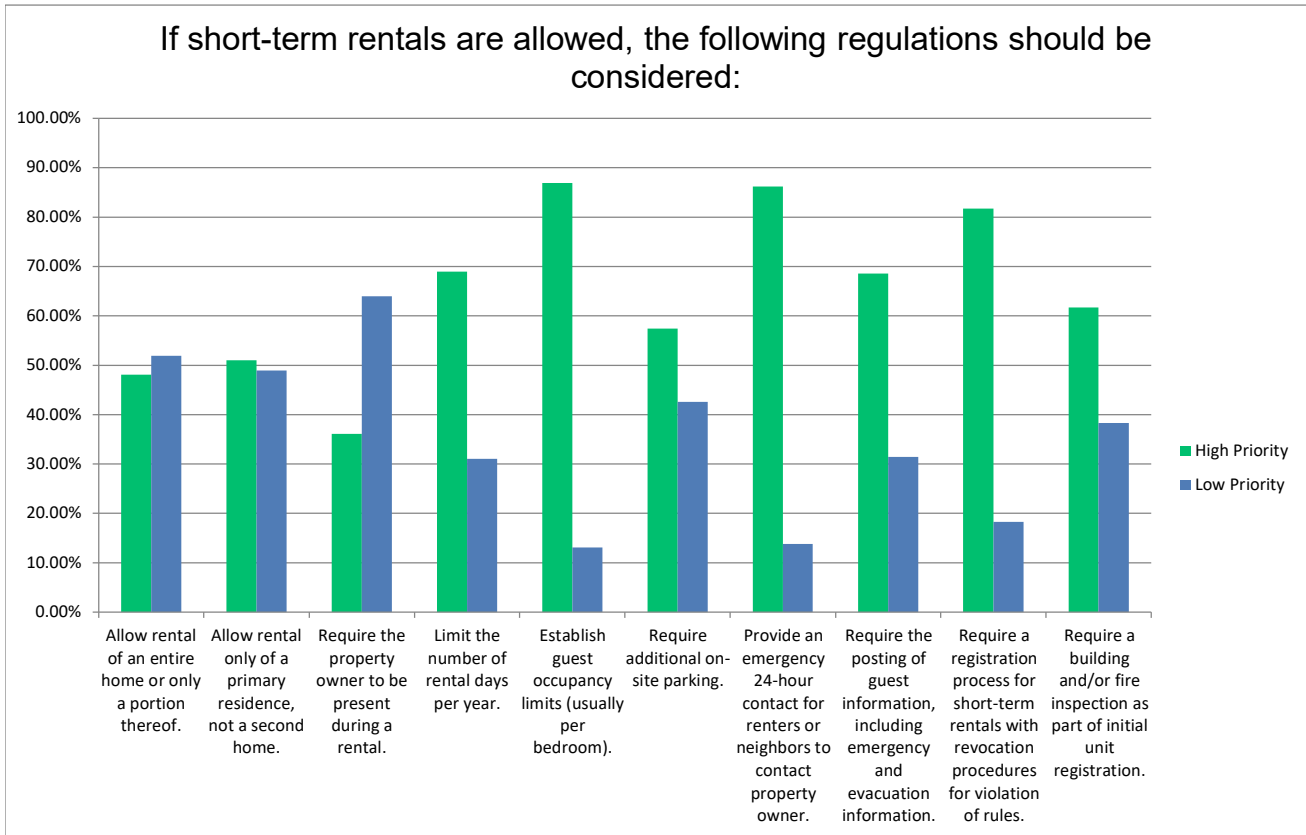
Answer Choices	Responses	
I support continuing to ban short-term rentals in Corte Madera.	47.32%	256
I could support allowing short-term rentals with appropriate regulation	53.05%	287
	Answered	541



Short-Term Vacation Rentals Survey

If short-term rentals are allowed, the following regulations should be considered:

	High Priority	Low Priority	Total
Allow rental of an entire home or only a portion thereof.	48.08%	51.92%	522
Allow rental only of a primary residence, not a second home.	51.03%	48.97%	533
Require the property owner to be present during a rental.	36.06%	63.94%	538
Limit the number of rental days per year.	68.95%	31.05%	541
Establish guest occupancy limits (usually per bedroom).	86.92%	13.08%	543
Require additional on-site parking.	57.43%	42.57%	538
Provide an emergency 24-hour contact for renters or neighbors to contact.	86.19%	13.81%	543
Require the posting of guest information, including emergency and evacuation information.	68.59%	31.41%	538
Require a registration process for short-term rentals with revocation procedures for violation of rules.	81.73%	18.27%	542
Require a building and/or fire inspection as part of initial unit registration.	61.71%	38.29%	538
		Answered	542



Attachment 2
Summary of Short-Term Rental Regulations in Marin County – June 2022

Tiburon	No	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Marin County	Yes	Bus. Lic. only	705	10% rate, 14% rate in West Marin; Average \$5.5 million/yr		No	No	No	No			Yes	No	No	Owner must notify neighbors by mail, door hangar or signage	No

* beyond the 30 consecutive day limit on short term rentals.

ITEM 7Bi

**PLANNING COMMISSION MEETING MINUTES OF
SEPTEMBER 13, 2022**

**Planning Commission Meeting
October 25, 2022**

DRAFT MINUTES
PLANNING COMMISSION MEETING
IN-PERSON & TELECONFERENCE
SEPTEMBER 13, 2022
CORTE MADERA TOWN HALL
CORTE MADERA

COMMISSIONERS PRESENT: Chair Peter Chase
Commissioner Bob Bundy
Commissioner Dan Kenney
Vice-Chair James Rizzo
Commissioner Margaret Bandel

STAFF PRESENT: Adam Wolff, Interim Town Manager
Phil Boyle, Senior Planner
Martha Battaglia, Senior Planner
Tracy Hegarty, Assistant Planner
Ann Danforth, Assistant Town Attorney

1. OPENING:

- A. Call to Order** – The meeting was called to order at 7:00 p.m.
- B. Roll Call** – All the commissioners were present.
- C. Pledge of Allegiance** – Commissioner Chase led the Pledge of Allegiance

2. PUBLIC COMMENT - None

3. CONSENT – None

4. CONTINUED HEARINGS - None

5. NEW HEARINGS

- A. 438 OAKDALE AVE** - APPEAL APPLICATION PL22-0048 REQUESTING REVERSAL OF THE TOWN ZONING ADMINISTRATOR'S APPROVAL OF VARIANCE APPLICATION PL22-0031 TO ALLOW AN EXISTING HOT TUB TO REMAIN IN ITS CURRENT LOCATION WITHIN A REQUIRED FRONT SETBACK AREA AT 438 OAKDALE AVE. (Senior Planner Phil Boyle)

Senior Planner Boyle presented the staff report and answered a question from Commissioner Rizzo.

The appellants were invited to address the commissioners.

Resa Lee and David Teakle, 440 Oakdale Avenue, discussed the noise and privacy issues caused by the hot tub and its use close to their property line. They also discussed the reasons they did not believe the application met the variance requirements.

The owners of the property, Brad and Stacy Denney, responded to the Teakle's issues and Mr. Boyle answered questions from the commissioners.

Public comment was taken from the following resident:

Hannah Richards, 408 Oakdale Avenue, discussed the reasons she supported the applicants. Ms. Richards stated that residential property lines are close and noise and lack of privacy should be expected.

The applicant and appellants responded and the commissioners commented on the appeal.

MOTION: Motioned by Commissioner Bundy, seconded by Vice-Chair Rizzo, to deny the appeal of Resolution No. 22-013, Application PL22-0048, requesting reversal of the Town's Zoning Administrator's approval of Variance Application PL22-0031 to allow an existing hot tub to remain in its current location within a required front setback area at 438 Oakdale Ave:

AYES: Chase, Bandel, Bundy, Kenney, Rizzo

NOES: None

Chair Chase announced a 10-minute break at 8:15 p.m.

6. BUSINESS ITEMS

- A. PLANNING COMMISSION MEETING START TIME – DISCUSS AND PROVIDE DIRECTION TO STAFF REGARDING POTENTIAL CHANGE TO REGULAR PLANNING COMMISSION MEETING START TIME (Planning Department Staff)**

The commissioners were in agreement that the regular Planning Commission meeting start time should remain at 7 p.m.

- B. DESIGN REVIEW DISCUSSION - REVIEW AND DISCUSSION OF POTENTIAL AMENDMENTS TO CORTE MADERA'S ZONING ORDINANCE REGULATIONS RELATED TO DESIGN REVIEW (Senior Phil Boyle and Assistant Planner Tracy Hegarty)**

Senior Planner Boyle and Assistant Planner Hegarty presented the staff report and answered questions from the commissioners, together with other members of the planning team.

Public comment was taken from the following interested parties:

Jan O'Brien discussed a preference for less emphasis on design being a good fit for the neighborhood, and more emphasis on superior design.

Dan Phipps, Chapman Drive, requested clearer design guidelines and he complemented the Planning Department and commissioners for moving forward with the ordinance amendment discussions.

Mr. Perlstein discussed his support for excellence in design being prioritized over the need for design to fit the neighborhood. He also requested an increase in size for first floor additions that do not require Planning Commission approval.

Chair Chase closed the public comment period and the commissioners provided feedback to staff.

Due to the lateness of the hour, the remaining items were continued to the meeting of September 27, 2022.

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

- i. Commissioners**
- ii. Planning Director**
- iii. Tentative Agenda Items for the Tuesday, September 27, 2022 Planning Commission Meeting**
(PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)
 - a. None**
- iv. Future Agenda Items**
(PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)
 - a. None**

B. MINUTES

- i. Planning Commission Meeting Minutes of August 9, 2022**

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10:30 p.m.

ITEM 7Bii

**PLANNING COMMISSION MEETING MINUTES OF
SEPTEMBER 27, 2022**

**Planning Commission Meeting
October 25, 2022**

DRAFT MINUTES
PLANNING COMMISSION MEETING
IN-PERSON & TELECONFERENCE
SEPTEMBER 27, 2022
CORTE MADERA TOWN HALL
CORTE MADERA

COMMISSIONERS PRESENT: Chair Peter Chase
Commissioner Bob Bundy
Commissioner Dan Kenney
Vice-Chair James Rizzo
Commissioner Margaret Bandel

STAFF PRESENT: Adam Wolff, Interim Town Manager/Planning Director
Phil Boyle, Senior Planner
Martha Battaglia, Senior Planner
Tracy Hegarty, Assistant Planner

1. OPENING:

A. Call to Order – The meeting was called to order at 7:00 p.m.

B. Roll Call – All the commissioners were present.

C. Pledge of Allegiance – Commissioner Chase led the Pledge of Allegiance

2. PUBLIC COMMENT - None

3. CONSENT – None

4. CONTINUED HEARINGS - None

5. NEW HEARINGS - None

6. BUSINESS ITEMS

A. DESIGN REVIEW DISCUSSION - REVIEW AND DISCUSSION OF POTENTIAL AMENDMENTS TO CORTE MADERA'S ZONING ORDINANCE REGULATIONS RELATED TO DESIGN REVIEW (THIS WAS PREVIOUSLY DISCUSSED AT THE SEPTEMBER 13, 2022 PLANNING COMMISSION MEETING) (Senior Phil Boyle and Assistant Planner Tracy Hegarty)

Assistant Planner Hegarty and Senior Planner Boyle presented the staff report and answered questions from the commissioners.

There was no public comment and Chair Chase announced a 10-minute break at 8:55 p.m.

The commissioners discussed the draft document and provided feedback to staff. Mr. Boyle confirmed staff would revise the draft ordinance regulations with the changes discussed. He stated that the draft ordinance would be presented at a future meeting for the commissioners' review.

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

Commissioner Kenney reported on the September 20, 2022 Town Council meeting, during which the following items were discussed:

- Public comment was taken on lighting at Marin Country Day School, leash laws and the lack of maintenance for staircases on Christmas Tree Hill;
- Presentations on two community gardens;
- Response to a Grand Jury Report on the formation of a joint powers authority (JPA) to address affordable housing.

Senior Planner Martha Battaglia elaborated on the response to the Grand Jury Report, and noted that the response was similar to those of other agencies. Ms. Battaglia also stated that further discussions with the commissioners on the Development Standards should be scheduled for a meeting in November with the goal of adopting the Housing Element in January 2023.

ii. Planning Director – None

iii. Tentative Agenda Items for the Tuesday, October 11, 2022 Planning Commission Meeting – None (PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)

iv. Future Agenda Items - None (PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)

B. MINUTES

i. Planning Commission Meeting Minutes of August 9, 2022

MOTION: Motioned by Commissioner Bundy, seconded by Vice-Chair Rizzo, to approve the Meeting Minutes of August 9, 2022

AYES: Chase, Bandel, Bundy, Kenney, Rizzo
NOES: None

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:37 p.m.