

To: Mayor and Ross Town Council
From: Elise Semonian, Senior Planner
Re: Request for planning fee waiver for zoning code amendment, Marin Art & Garden Center, 31 Sir Francis Drake Blvd.
Date: November 30, 2011

I. Project Summary

Town Council consideration and action on request by Marin Art & Garden Center to waive \$5,000 zoning amendment fee.

II. Project Description

The Marin Art & Garden Center has requested the Town to amend the language in the Community Cultural District Zoning regulations to expand permitted uses to include “environmental conservation.” The zoning district regulations, which only apply to the Marin Art & Garden Center site, currently limit permitted uses to “art” and “garden” related uses.

The fee for zoning amendments is \$5,000 (Town Council Resolution 1754). The Marin Art & Garden Center has requested the Council to waive this fee.

Resolution 1754 provides that, “the Ross Town Council may approve waiver or partial waiver of fees for good cause to be determined by the Town Council.” The Marin Art & Garden Center is a community-serving non-profit organization and the fee waiver will assist the organization in its efforts to sustain the center.

The actual zoning text change is not complex and staff does not anticipate spending significant time on the application. The Council must consider the zoning code change at two meetings. The notice for the meetings must be mailed and published in the Marin Independent Journal. Staff estimates that processing the zoning amendment will involve about 6 hours of staff time and approximately \$150 in noticing costs, for a total cost of approximately \$500.

IV. Recommendation

Staff recommends that the Council consider reducing the application fee to \$500 to cover the Town cost to process the request.