

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF A PORTION OF APN 007-121-74, FROM SINGLE FAMILY CONSERVATION TO SINGLE FAMILY; AND REZONE A PORTION APN 007-121-74 FROM SINGLE FAMILY CONSERVATION TO SINGLE FAMILY; AND DESIGN REVIEW FOR A PROPOSED 2,844 SQUARE FOOT, TWO-STORY, SINGLE-FAMILY RESIDENCE WITH A 536 SQUARE FOOT GARAGE ON PARCEL 2; AND A GRADING PERMIT TO CUT AND FILL OVER 100 CUBIC YARDS OF MATERIAL APN 007-121-74 AT (456 LAUREL AVENUE)

WHEREAS, Assessor's Parcel Number (APN) 007-121-74 (456 Laurel Avenue) is currently identified on the San Anselmo General Plan Land Use Map with the designation of Single Family Conservation; and

WHEREAS, an application was filed with the Town of San Anselmo on November 27, 2013, requesting to divide APN 007-121-74 from a single parcel of 59,634.17 square feet; into two parcels; Parcel 1 - 44,427.57 square feet and Parcel 2 - 15,206.60 square feet; and a General Plan Amendment to change the land use designation of a portion of APN 007-121-74, the new Parcel 2, from Single Family Conservation (1 unit or less per acre) to Single Family (1 to 6 units per acre); and rezone a portion APN 007-121-74, the new Parcel 2, from Single Family Conservation to Single Family; and design review for a proposed 2,844 square foot, two-story, single-family residence with a 536 square foot garage on Parcel 2; and a grading permit to cut and fill over 100 cubic yards of material for the proposed residence on Parcel 2 located at 456 Laurel Avenue; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), staff prepared an Initial Study of potential environmental impacts for the proposed project and determined that potential impacts could be avoided or substantially reduced to a level of insignificance, with mitigation measures adopted as conditions of approval; and

WHEREAS, a Draft Mitigated Negative Declaration was prepared and mitigation measures identified to avoid, substantially reduce, or compensate for the environmental impacts identified in the areas of Aesthetics, Air Quality, Biology, Cultural Resources, Geology and Soils, Hazards / Hazardous Materials and Hydrology / Water Quality. These mitigation measures have been agreed to in writing by the applicant and incorporated as draft conditions of approval for the project; and

WHEREAS, CEQA requires the Town to adopt a mitigation monitoring and reporting program to ensure compliance with the mitigation measures identified in the Mitigated Negative Declaration and such a program has been prepared for the project for consideration by the Town Council ("Mitigation Monitoring Program"); and

WHEREAS, on May 23, 2014, a Mitigated Negative Declaration was posted in accordance with the Government Code, providing a 20 day comment period as required by Public Resources Code § 21091; and

WHEREAS, on June 16, 2014, the Planning Commission held a duly noticed public hearing and received a staff report and public testimony regarding the Mitigated Negative Declaration, and

WHEREAS, on _____, 2014, the Town Council held a duly noticed public hearing and received a staff report and public testimony regarding the Mitigated Negative Declaration.

NOW, THEREFORE, the Town Council of the Town of San Anselmo does hereby find as follows:

The project will not have a significant adverse impact on the environment.

Staff prepared an Initial Study of potential environmental impacts for the proposed project and determined that potential impacts could be avoided or substantially reduced to a level of insignificance, with mitigation measures adopted as conditions of approval; and a Draft Mitigated Negative Declaration was prepared and mitigation measures identified to avoid, substantially reduce, or compensate for the environmental impacts identified in the areas of Aesthetics, Air Quality, Biology, Cultural Resources, Geology and Soils, Hazards / Hazardous Materials and Hydrology / Water Quality. These mitigation measures have been agreed to in writing by the applicant and incorporated as draft conditions of approval for the project;

Furthermore,

- Notice of the public review period and hearing on the Mitigated Negative Declaration was given as required by law and said hearing was conducted pursuant to sections 15073 and 15074 of the State CEQA Guidelines.
- All individuals, groups and agencies desiring to comment on the Mitigated Negative Declaration were given the opportunity to address the Town Council.
- The Mitigated Negative Declaration of Environmental Impact for the project consists of the Initial Study and all reports, the Mitigated Negative Declaration, and all supporting information incorporated by reference therein, any responses to comments, and the project submittal.
- The Mitigated Negative Declaration of Environmental Impact for the project was completed in compliance with the intent and requirements of CEQA, the State CEQA Guidelines, and the Town's CEQA process.
- There is no substantial evidence in the record before the Town Council that the project, as mitigated, will have a significant effect on the environment.
- The decision to adopt the Mitigated Negative Declaration reflects the independent judgment of the Town Council.
- The Town is the custodian of the documents and other records that constitute the record of proceedings upon which this decision is based, which documents and other materials are located at the Town of San Anselmo Town Hall, 525 San Anselmo Avenue, San Anselmo, California, 94960.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Council adopts the Mitigated Negative Declaration and Mitigation Monitoring Program.

I hereby certify that the forgoing resolution was duly passed and adopted by the Town council of the town of San Anselmo at a regular meeting held on the ____ day of _____, 2014, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Tom McInerney, Mayor

ATTEST:

Barbara Chambers, Town Clerk

S:\PLANNING\APPLICATIONS AND PROPERTY FILES\Streets K-O\LAUREL AVE PROJECTS\Phillips 456 Laurel Ave\REZS AND ORDS\RESOLUTIONS\RESO 1 ND and MMP LAUREL.doc