

CITY OF SAN ANSELMO

ORDINANCE NO. 637

AN INTERIM EMERGENCY ORDINANCE PROHIBITING ANY USE OR REZONING OF REAL PROPERTY WHICH MAY BE IN CONFLICT WITH CONTEMPLATED ZONING PROPOSALS AND GENERAL PLAN REVISIONS WHICH THE CITY COUNCIL AND THE PLANNING COMMISSION HAVE UNDER CONSIDERATION AND STUDY. THIS ORDINANCE SHALL BE CODIFIED UNDER TITLE 10, CHAPTER 3, ARTICLE 27, TO BE KNOWN AS THE GENERAL PLAN CONFLICT ZONE, ABBREVIATED GPC.

The City Council of the City of San Anselmo ordains as follows:

SECTION 1. There is hereby added to Title 10, Chapter 3, a new Article 27, as follows:

10-3.2701. PURPOSE. To protect the public safety, health, and welfare by controlling, on an interim basis, all use and rezoning of undeveloped land within the City and of developed land within the present commercial zones of the City, in order to avoid potential conflict with zoning proposals and General Plan revisions which the City Council and Planning Commission are presently considering and studying, or intend to consider and study within a reasonable time, wherein the purpose of such zoning proposals and General Plan revisions is to make the zoning ordinance consistent with the General Plan as required by Section 65860 of the Government Code of the State of California.

10-3.2702. SCOPE. No use (including, but not limited to, grading, excavation, filling, pilings, construction or any commitment of the use of land beyond a period of one year) or rezoning may be permitted in any zone with which the GPC Zone is by the terms of this Ordinance combined, except as provided in Sections 10-3.2703 and 10-3.2704.

10-3.2703. ESTABLISHMENT OF GPC ZONES. General Plan Conflict Zones (GPC Zones) are hereby established and combined

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with the existing zone or zones on all undeveloped land within the City and on all developed land within the present commercial zones of the City. Said GPC Zones shall be governed by the provisions of this Ordinance and said provisions shall supersede the respective regulations of the existing zone or zones to the extent set forth in this Ordinance and shall be applied to said GPC Zones in addition to the regulations hereinbefore specified for the existing zone or zones; but the regulations hereinbefore specified for the existing zone or zones shall remain in full force and effect except where in conflict with the provisions of this Ordinance. Provided, however, that the lands listed below are exempted from the provisions of this Ordinance:

(a) Those upon which a detailed subdivision or planned development has been approved by the Planning Commission or City Council within the 18 months immediately preceding the enactment of this Ordinance.

(b) Those for which a grading, excavating, fill, or building permit has already been approved and has not expired.

(c) Those lands presently under consideration by the Planning Commission as appropriate for rezoning to Preliminary Plan Development (P-PD), or under such consideration by the Planning Commission before this Ordinance is passed and adopted.

The zoning map shall be changed to show all districts so established with the designation GPC-, followed by the zone designation as it now is (to be read as: GPC-R1; GPC-R2; etc.). Such notations shall be utilized on all applications and notices and correspondence pertaining thereto.

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10-3.2704. USES AND REZONING CONTROLLED; APPLICATION FOR USE PERMIT. Any land use which would in any way permanently change the conformity of the land (such as by grading, excavation, fill, pilings, construction, or the commitment of the use of the land beyond a period of one year) or rezoning shall require a use permit; with the exception therefrom of any work that the City Engineering Department or Building Inspection Department may authorize as an emergency action for the purpose of preventing or correcting dangerous soil or drainage conditions. All applications for any such described use or rezoning shall be made to the Planning Commission as an application for a use permit. Sufficient materials shall be supplied to the Planning Commission by the applicant in order to fully inform the Planning Commission of the intended use or rezoning and probable impact for the contemplated zoning proposals and general plan proposals. Before granting a use permit hereunder, the Planning Commission shall find, with reasons set forth, that there is a substantial probability that the use proposed will be consistent with the contemplated zoning proposals and general plan proposals and that there is little probability of any substantial detriment to the public should any inconsistency ultimately exist.

No fee shall be required for a use permit application under this Section when the applicant's property could be developed without a variance under normal circumstances.

10-3.2705. URGENCY MEASURE. This Ordinance is an ordinance for the immediate preservation of the public peace, health, safety and general welfare and one of urgency and shall take effect immediately. The facts constituting the urgency are that the City Council, Planning Department and

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Planning Commission of the City of San Anselmo are, and have been conducting studies and are contemplating revisions to the General Plan and the zoning ordinance of the City of San Anselmo which would change, alter, or amend the uses and development of the property affected by this Ordinance and that it will be some period of time before said studies, recommendations and revisions are completed and that if the property encompassed within the purview of this Ordinance were allowed to be developed under the present General Plan and zoning ordinance it would be detrimental to the orderly development of the City of San Anselmo and the public peace, health, safety and general welfare of the City of San Anselmo would be jeopardized.

SECTION 2. This Ordinance shall take effect immediately upon its passage and adoption as an urgency measure and shall remain in full force and effect for one year following its passage and adoption. This Ordinance shall, within fifteen (15) days of its passage and adoption be published once in The Reporter, a newspaper of general circulation, published and circulated in the County of Marin, and hereby designated for that purpose.

The foregoing Ordinance was duly and regularly introduced at a regular meeting of the City Council of the City of San Anselmo, held in said City on the 10th. day of October, 1972, duly passed and adopted by the following vote:

AYES: COUNCILMEN: Anderson, Blinder, Stewart, Perry

NOES: COUNCILMEN: Capurro

ABSENT: COUNCILMEN: None

Signed and approved this 10th. day of October, 1972.

Lawrence R. Perry
Mayor

ATTEST:

Heleen Pagan
City Clerk