

CITY OF SAN ANSELMO

ORDINANCE NO. 679

AN INTERIM 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.

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

SECTION 1. The provisions of the City of Title 10, Chapter 3, Article 27, having automatically expired on the 10th of October, 1974, 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 regulations consistent with the General Plan as required by Section 65860 of the Government Code of the State of California.

10-3.2702. Finding. The facts constituting the need for this ordinance are that the City Council, Planning Department, and the Planning Commission of the City of San Anselmo are, and have been conducting studies and are contemplating revision to the General Plan and the Zoning Ordinances of the City which would change, alter, or amend the uses and development of the property affected by this ordinance and it will be 12 months before said studies, recommendations and revisions are completed and if the property encompassed within the purview of this ordinance were allowed to be developed under the present General Plan and Zoning Ordinances, 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 would be jeopardized.

10-3.2703. Scope. No use (including, but not limited to, grading, excavation, filling, pilings, construction, or any commitment of the use of the 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 Section 10-3.2704 and 10-3.2705.

10-3.2704. Establishment of GPC Zones. General Plan Conflict Zones (GPC Zones) are hereby established and combined 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. Any land, lot, or parcel, or portion of land, lot, or parcel, which can be further developed under the subdivision regulations, the zoning regulations or any other regulation or law of the City shall be considered undeveloped for the purposes of the application of this section. 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 lands presently under consideration by the Planning Commission as appropriate for rezoning to Preliminary Plan Development (PPD), or under such consideration by the Planning Commission before this Ordinance is passed and adopted.

(b) Those building sites which are not capable of further subdivision without a variance from the subdivision ordinance or deviation from the minimum requirements of the lot slope policy and which sites are not contiguous with other undeveloped property or proposed for further study because of some definite General Plan consideration. No building permit under this exception shall be valid unless the Planning Director determines that the site qualifies under this exemption and so certifies on the permit. The zoning map required under this ordinance shall be amended from time to time to delete these parcels from the GPC Zone.


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-R-1, GPC-R-2, etc.). Such notations shall be utilized on all applications and notices and correspondence pertaining thereto.

10-3.2705. 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. A use permit shall be granted unless the Planning Commission shall find, with reasons set forth, that there is a substantial probability that the proposed use, subdivision, rezoning or other contemplated work will be in conflict with one or more elements of the proposed General Plan. The applicant shall submit with the application any information which he feels would assist the Commission in making their findings.


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.

10-3.2706. Expiration. In any case, termination will become effective upon completion of the General Plan and its implementing ordinances and no later than October 10, 1975.

Dated: November 12, 1974.

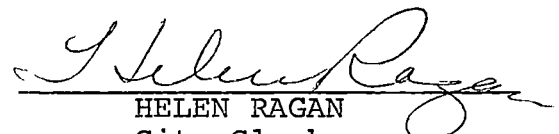

MARTIN G. BLINDER
Mayor

ATTEST:


 HELEN RAGAN
 City Clerk

The foregoing ordinance was read and introduced at a regular meeting of the San Anselmo City Council held on October 22, 1974, and was thereafter at a regular meeting of the City Council held on November 12, 1974, duly passed and adopted by the following vote:

AYES: Councilmen **Anderson, Colteaux, Toal, Blinder**
 NOES: Councilmen **Capurro**
 ABSENT: Councilmen **None**


 HELEN RAGAN
 City Clerk