

ORDINANCE NO. 996

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING THE ZONING ORDINANCE, CHAPTER 3, TITLE 10, TABLE 4B: MINOR INTRUSIONS INTO REQUIRED DEVELOPMENT STANDARDS

Section 1.

WHEREAS, a draft Negative Declaration was prepared and published in a newspaper of general circulation for the required 20-day noticing period; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 20, 1998 to consider the Negative Declaration and the proposed Zoning Ordinance Amendments, at which time they considered the staff report, public testimony (of which there was none), and recommended approval to the Town Council;

WHEREAS, the Town Council held a duly noticed public hearing on June 9, 1998, at which time they considered the staff report, public testimony, the Planning Commission minutes of April 20, 1998, a verbal report of the April 20, 1998, Planning Commission determination, and approved the Negative Declaration (Exhibit 1) and introduced an Ordinance for the Zoning Ordinance Amendments; and

WHEREAS, the Town Council held a duly noticed public hearing on June 23, 1998, at which time they considered the staff report, public testimony, the Planning Commission minutes of April 20, 1998, and adopted an Ordinance for the Zoning Ordinance Amendments.

NOW, THEREFORE, the Town Council does hereby find that:

The Zoning Ordinance Amendments in their entirety are in compliance with the provisions of the San Anselmo General Plan in that they are consistent with the goals and policies of the Land Use Element.

Section 2.

THEREFORE, THE TOWN OF SAN ANSELMO DOES ORDAIN that Chapter 3, Title 10, Table 4B: Minor Intrusions into Required Development Standards be amended as attached (Exhibit 2) (existing text to be deleted is in "strike-out" format, and proposed text to be added is in "bold/underline" format).

Section 3.

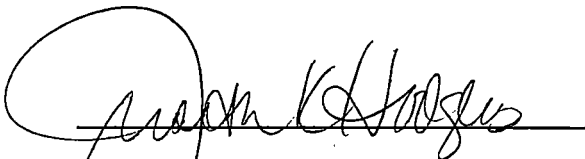
These ordinance amendments will become effective on July 23, 1998, 30 days following the adoption of these amendments by the Town Council.

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo on June 23, 1998, by the following vote:

AYES: Breen, Chignell, Hodgens, Kroot, Overberger

NOES: None

ABSTAIN: None



Judith K. Hodgens, Mayor

ATTEST:

Debra Stutsman
Debra Stutsman, Town Clerk

TOWN OF SAN ANSELMO

DEPARTMENT OF PUBLIC WORKS AND PLANNING
525 SAN ANSELMO AVENUE, SAN ANSELMO, CA 94960



NOTICE OF NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACT

DESCRIPTION OF PROJECT: Zoning Ordinance Amendments to Table 4B: Minor Intrusions Into Required Development Standards.

This application is available for public review at the office designated above.

NAME AND ADDRESS OF PROPONENT: Planning Department, Town of San Anselmo, 525 San Anselmo Avenue, San Anselmo, California 94960.

Pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code Sections 21100, et seq.), the Town of San Anselmo has determined that the above project will not have a significant effect upon the environment for the following reasons:

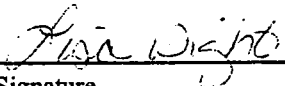
The Zoning Ordinance Amendments are intended to permit additional minor applications to be located within the minimum standard setbacks for structures either by exception or administrative variance; specifically, arbor and trellis, enclosure of existing roofed porch, hot tub and mechanical equipment, parking deck, driveway, and supporting structure (all uncovered), raising of structures, replacement in kind, cut retaining wall up to 4' in height above grade; fill retaining wall up to 6' in height above grade; swimming pool and equipment. there should be no significant adverse impact on earth, water, air, plant life, animal life, noise, light or glare, land use, natural resources, risk of upset, population, housing, transportation/circulation, public services, energy, utilities, human health, aesthetics, recreation, cultural resources, nor have any mandatory findings of significance due to the small scale of these structures.

The environmental study was made by Lisa Wight, Senior Planner. Copies of this initial study are available at cost from the Planning Department. Written comments on this determination should be received in the Planning Department prior to Monday, April 20, 1998.

Public hearings will be held by the Planning Commission at 7:30 p.m. on Monday, April 20, 1998, and by the Town Council at 8:00 p.m. on Tuesday, May 12, 1998 and Tuesday, May 26, 1998 in the Town Hall Council Chamber, 525 San Anselmo Avenue, San Anselmo, California.

Any persons unable to attend the hearings and wish to express their views on this issue may do so in writing prior to the date of the hearing.

Posted: March 31, 1998



Signature
Lisa Wight
Typed Name
Senior Planner
Position
PLANNING
Department

ENVNEGDEC / Revised 3/97

MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B

Legend

- "E" ~~Exception~~ **Exemption** to Standard. No Planning review required
- "AV" Administrative Variance required

MINIMUM DISTANCE FROM PROPERTY LINE ⁽¹⁾⁽²⁾

	FRONT	REAR	INTERIOR SIDE	STREET SIDE	TYPE OF REVIEW REQUIRED
• Accessory Structure					
1. One, detached or attached to an existing structure, and similar in type to gazebo or tool shed, and 60 square feet or less in area and 6' or less in height above grade.	20'	0'	0'	0'	E
2. One, detached or attached to an existing structure and similar in type to gazebo or tool shed, and 100 square feet or less in area and 8' or less in height above grade.	20'	0'	0'	0'	AV
• Arbor and Trellis					
1. All freestanding, and 60 square feet or less in area and 8' or less in height above grade. A distance of 10' shall be maintained from dwellings located on contiguous properties.	3' <u>0'</u>	3' <u>0'</u>	3'	3'	E
2. All freestanding, exceeding 60 square feet in area and exceeding 8' in height above grade.	20'	0'	0'	0'	AV

MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B (Continued)

Legend

- "E" ~~Exception~~ **Exemption** to Standard. No Planning review required
 "AV" Administrative Variance required

	MINIMUM DISTANCE FROM PROPERTY LINE ⁽¹⁾⁽²⁾				TYPE OF REVIEW REQUIRED
	FRONT	REAR	INTERIOR SIDE	STREET SIDE	
• Awning, Chimney, Cornice, Eave, Fireplace					
1. All extending not more than 3' from the existing building wall. A distance of 10' shall be maintained from dwellings located on contiguous properties.	3'	3'	3'	3'	E
2. All extending beyond 3' from the existing building wall.	3'	3'	3'	3'	AV
• Creek Bank Restoration					
Limited to a 20 foot length measured parallel to the creek bed.	0'	0'	0'	0'	E
• Dormer					
A maximum of one on each wall, each to be no greater than 8' in length as measured parallel to the roof ridge. A distance of 10' shall be maintained from dwellings located on contiguous properties.	3'	3'	3'	3'	E
• Enclosure of an Area Directly Below an Existing Deck					
To create additional living area, not to exceed 100 square feet,					

and provided it does not create separate living quarters.

0'

0'

0'

0'

AV

MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B (Continued)

Legend

"E" ~~Exception~~ **Exemption** to Standard. No Planning review required

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	FRONT	REAR	INTERIOR SIDE	STREET SIDE	TYPE OF REVIEW REQUIRED
<ul style="list-style-type: none"> Enclosure of Existing Roofed Porch <p>Limited to one wall side of an existing dwelling, not to exceed 100 square feet.</p>	0'	0'	0'	0'	E
<ul style="list-style-type: none"> Fence 					
1. Up to 6' in height above grade.	0'	0'	0'	0'	E ⁽³⁾
2. Exceeding 6' in height, but not exceeding 10' in height above grade.	0'	0'	0'	0'	AV ⁽³⁾
<ul style="list-style-type: none"> First Story Rear Horizontal Dwelling Infill Extensions <p>Incorporating no additional height increase and within the boundaries created by connecting two points of the same side of an existing building (notch filler).</p>	20'	0'	0'	0'	E
<ul style="list-style-type: none"> Hot Tub and Mechanical Equipment <p>Both inground and above ground <u>provided the equipment is self-contained within the hot tub unit and acoustically baffled</u></p>					

(exclusive of motorized mechanical equipment)-

20' 8' 8' 8' E
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B (Continued)

Legend

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MINIMUM DISTANCE FROM PROPERTY LINE ⁽¹⁾⁽²⁾

	FRONT	REAR	INTERIOR SIDE	STREET SIDE	TYPE OF REVIEW REQUIRED
<ul style="list-style-type: none"> • Parking Deck, Driveway, and Supporting Structure (<u>all uncovered</u>) <p>All uncovered - On both downslope and upslope lots having a minimum average slope of 25%. A minimum area to provide three parking spaces shall be required for a new single family dwelling as a condition of approval.</p>	0'	0'	0'	0'	AV
<ul style="list-style-type: none"> • Parking Spaces on Uphill Lots <p>With retaining walls greater than 6' in height above grade, but less than 10' in height above grade. Note: a minimum area to provide three parking spaces shall be required for a new single family dwelling as a condition of approval.</p>	0'	0'	0'	0'	AV
<ul style="list-style-type: none"> • Raising of a Dwelling <u>Structures</u> <p>1. Dwelling, <u>Attached Carport, and Attached Garage</u>, including the roof, walls, and foundation, a total of 2' above the existing dwelling height, not to exceed the height limitation of the applicable zoning district.</p>	0'	0'	0'	0'	E

MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B (Continued)

Legend

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MINIMUM DISTANCE FROM PROPERTY LINE ⁽¹⁾⁽²⁾

	FRONT	REAR	INTERIOR SIDE	STREET SIDE	TYPE OF REVIEW REQUIRED
<ul style="list-style-type: none"> Raising of a Dwelling <u>Structures (Continued)</u> 					
<ul style="list-style-type: none"> <ul style="list-style-type: none"> <u>2. Detached Carport, Detached Garage, and Detached Accessory Building</u> 					
<ul style="list-style-type: none"> <ul style="list-style-type: none"> <ul style="list-style-type: none"> <u>Including the roof, walls, and foundation, a total of 2' above the existing building height, not to exceed the height limitation of the applicable zoning district.</u> 	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>AV</u>
<ul style="list-style-type: none"> Replacement in Kind 					
<ul style="list-style-type: none"> <ul style="list-style-type: none"> 1. <u>Existing parking decks, except for structures subject to design review.</u> 	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>E</u>
<ul style="list-style-type: none"> <ul style="list-style-type: none"> 2. <u>Existing retaining walls, except for structures subject to design review.</u> 	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>E</u>
<ul style="list-style-type: none"> <ul style="list-style-type: none"> 3. <u>Other existing structures, including dwellings, except for structures subject to design review.</u> 	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>AV</u>

MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B (Continued)

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"E" Exception Exemption to Standard. No Planning review required
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	MINIMUM DISTANCE FROM PROPERTY LINE ⁽¹⁾⁽²⁾				TYPE OF REVIEW REQUIRED
	FRONT	REAR	INTERIOR SIDE	STREET SIDE	
• <u>Retaining Wall, Cut up to 4' in height above grade.</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>	<u>E</u>
1. Up to 30" in height above grade	0'	0'	0'	0'	E
2. Involves cutting only into existing hillside for restoration of a slope that has failed through slide or erosion, up to 4' in height above grade provided the wall is partially screened with vegetation.	0'	0'	0'	0'	E
3. Involves cutting only into existing hillside for restoration of a slope that has failed through slide or erosion, exceeding 4' in height above grade.	0'	0'	0'	0'	AV
• <u>Retaining Wall, Fill</u>					
1. Up to 30" in height above grade.	0'	0'	0'	0'	E
2. Exceeding 30" in height, but not exceeding 6' in height above grade.	0'	0'	0'	0'	AV

MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B (Continued)

Legend

- "E" ~~Exception~~ **Exemption** to Standard. No Planning review required
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MINIMUM DISTANCE FROM PROPERTY LINE ⁽¹⁾⁽²⁾

	FRONT	REAR	INTERIOR SIDE	STREET SIDE	TYPE OF REVIEW REQUIRED
<ul style="list-style-type: none"> Swimming Pool and Mechanical Equipment Both inground and above ground provided the equipment is acoustically baffled (exclusive of motorized mechanical equipment). 	20'	<u>8'</u>	8'	8'	E
<ul style="list-style-type: none"> Window: Bay, Greenhouse, and Box <ol style="list-style-type: none"> All extending not more than 3' from the existing building wall and no greater than 8' in length. A distance of 10' shall be maintained from dwellings located on contiguous properties. All extending not more than 3' from the existing building wall and greater than 8' in length. 	3'	3'	3'	3'	E AV

Notes:

- (1) All other structures that intrude into the minimum required setback areas shall require Planning Commission variance review unless a determination is made by the Planning Director that a particular structure is similar in kind to one of the above listed structures which are considered either an Exception or subject to Administrative Variance review.
- (2) For R-1 H, R-1 C, and R-1 properties located at or above 150 mean sea level elevation, design review approval shall take precedence over the above listed exceptions.
- (3) Fences located within 20' of a property fronting a street are subject to a separate permit review by the Public Works Director. Refer to Footnote (15) of Table 4A.