

TOWN OF SAN ANSELMO
ORDINANCE NO. 1012

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING THE ZONING ORDINANCE ARTICLES 3, 4, AND 15 RELATED TO USES PERMITTED, USE PERMIT, AND DESIGN REVIEW FOR PROFESSIONAL AND COMMERCIAL ZONED PROPERTIES.

WHEREAS, on August 10, 1999, the Town Council requested staff to research alternatives to regulating large and/or chain businesses, and directed staff on the preparation of an ordinance if desired; and

WHEREAS, on September 14, 1999, in response to the Planning Director's report, the Town Council directed staff to prepare an ordinance amending the Zoning Ordinance to create tighter control through the use permit process for franchise and formula businesses;

WHEREAS, on November 1, 1999, at a study session, the Planning Commission supported an Ordinance requiring a use permit and design review for buildings over 1,200 square feet upon change of occupancy, without reference to chain businesses;

WHEREAS, on November 15, 1999, the Planning Commission considered the Negative Declaration and staff report recommending approval, heard comments from staff and the audience, and recommended to the Town Council approval of the Negative Declaration and the Zoning Ordinance Amendments. These recommendations were made on the grounds that these amendments will not have an adverse impact on the environment and that they are limited to requiring a forum for review of professional and commercial buildings over 1,200 square feet upon change of occupancy, in order to ensure better compatibility with neighboring uses and buildings. These zoning amendments are consistent with Land Use Objective 2: Preservation of Community Character and Image, and Objective 6: Preservation and Restoration of Local Historic Buildings, Features, and Sites.

WHEREAS, on February 22, 2000, the Town Council considered the Negative Declaration and Planning Commission recommendation, heard comments from staff and the audience, and approved the Negative Declaration and introduced the Zoning Ordinance Amendments; and

WHEREAS, on March 14, 2000, the Town Council adopted the Ordinance next in order, amending the Zoning Ordinance as shown in Exhibit A attached to this Ordinance.

NOW, THEREFORE, the Town Council of the Town of San Anselmo DOES HEREBY FIND as follows:

That the finding required for the approval of a Negative Declaration, which is that the project will not have a significant adverse environmental impact, has been made; and

That the findings required for the approval of the zoning amendments, which is that they are consistent with the General Plan, have been made.

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo at a regularly scheduled meeting on March 14, 2000, by the following roll call vote:

AYES: Breen, Hodgens, Kilkus, Kroot
NOES: None
ABSENT: Chignell


Peter Breen, Mayor


ATTEST:

Debra Stutsman, Town Clerk

Exhibit A

- Footnote Addition to: LAND USE REGULATIONS TABLE, TABLE 3A

LAND USES	DISTRICT	R-1-H ...	(7)(8) P	(7)(8) C-1	(7)(8) C-2	(7)(8) C-L	(7)(8) C-3
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Notes:

(8) Upon change of occupancy, buildings or leasable space having a minimum of 1,200 square feet of gross floor area shall be subject to the granting of a conditional use permit and design review as set forth in Sections 10-3.1301 and 10-3.1501 of the San Anselmo Municipal Code and to the findings required for the approval of a use permit and design review as set forth in Sections 10-3.1305 (a), and 10-3.1505 (a) and (f).

- Footnote Addition to: DEVELOPMENT STANDARDS TABLE, TABLE 4A

LAND USES	DISTRICT	R-1-H ...	P	C-1	C-2	C-L	C-3
Lot Area, Minimum		(1)(2)43,560	(4)(17)5,000	(17) _	(17) _	(17) _	(17) _

Notes:

(17) Upon change of occupancy, buildings or leasable space having a minimum of 1,200 square feet of gross floor area shall be subject to the granting of a conditional use permit and design review as set forth in Sections 10-3.1301 and 10-3.1501 of the San Anselmo Municipal Code and to the findings required for the approval of a use permit and design review as set forth in Sections 10-3.1305 (a), and 10-3.1505 (a) and (f)."

- Language additions to: Section 10-1505 Required Findings for Design Review:

Approval of design review, which may include the imposition of conditions, shall be made only after the making of the following findings.

(f) Professional and Commercial (1,200 square feet or more of gross floor area): That the project will not be detrimental to the existing façade(s) of buildings constructed prior to January 1, 1960.