

TOWN OF SAN ANSELMO
Ordinance No. 1070

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO APPROVING THE NEGATIVE
DECLARATION OF ENVIRONMENTAL IMPACT AND ZONING ORDINANCE
AMENDMENTS FOR THE PUBLIC FACILITIES AND COMMUNITY FACILITIES
DISTRICTS**

SECTION 1.

WHEREAS, Town owned properties are currently identified in the General Plan Land Use Element and the General Plan Land Use Map with the designation of Public Facility (PF);

WHEREAS, the use of Town-owned properties designated as Public Facility has traditionally been by Town facilities and in the case of some properties, private tenants, including non-profit groups;

WHEREAS, the Town-owned properties known as the Isabel Cook Community Center located at 1000 Sir Francis Drake Boulevard and the Robson Harrington House located on Crescent Road are currently occupied by both Town facilities and private tenants, including non-profit groups;

WHEREAS, two of the non-profit tenants have recently vacated the Isabel Cook Community Center to relocate;

WHEREAS, the Town desires to lease out a 4,000 square foot space on the lower floor at the Isabel Cook Community Center and has had some difficulty due to the fact that there are currently no parameters for permitted uses in the PF District;

WHEREAS, other properties currently zoned PF include the Town Hall and Police Department (525 San Anselmo Avenue), the Fire Service buildings (777 San Anselmo Avenue and 220 Butterfield Road), the public library (110 Tunstead Avenue), the Town parks (Memorial, Halperin, Sorich, Creek, etc.), and the Town public parking lots (Magnolia, Pine, Butterfield);

WHEREAS, the Town seeks to remove the Isabel Cook Community Center and the Robson Harrington House from the Public Facilities District and place them in a newly created Community Facilities District (CF), which allows both for public use by the Town as well as rental to both non-profit and other private entities when appropriate;

WHEREAS, both the Isabel Cook Community Center and Robson Harrington House have significant costs related to ongoing maintenance which, if left vacant would then be borne solely by the Town;

WHEREAS, the Town has a continuing low-income requirement at the Isabel Cook Community Center, which is met by the Housing Authority of Marin housing complex on the property. On file with the Town is a 1987 letter from Roy Bateman of

the County that memorialized the satisfaction of said requirement and a recent conversation with Mr. Batement confirmed that this requirement is still met.

WHEREAS, on February 1, 2009, a Negative Declaration was posted in accordance with the Government Code, providing a 20 day comment period.

WHEREAS, on February 23, 2009, the Planning Commission held a duly noticed public hearing to consider the Negative Declaration, General Plan Amendments, and Zoning Ordinance amendments, took comments from staff and the audience, and continued the hearing to March 2, 2009.

WHEREAS, on March 16, 2009, the Planning Commission held a duly noticed public hearing to consider the Negative Declaration, General Plan Amendments, and Zoning Ordinance Amendments, took comments from staff and the audience, and recommended approval to the Town Council.

WHEREAS, on March 24, 2009, the Town Council held a duly noticed public hearing to consider a Negative Declaration and General Plan amendments, took comments from staff and the audience, and approved a Resolution amending the General Plan Land Use Element and Land Use Map.

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

SECTION 2. ENVIRONMENTAL REVIEW

The Zoning Ordinance amendments shall not have a significant adverse impact on the environment.

The Zoning Ordinance amendments should have no adverse impacts on land use, public services, population and housing, biological resources, utilities and service systems, geology, energy and mineral resources, cultural resources, air quality, or recreation, nor on transportation/circulation, water, noise, and aesthetics. The revisions would refine and define the Town's General Plan category of Public Facilities and further the purpose and intent of the Zoning Ordinance's Public Facilities District, while preserving and enhancing the development of the Town. In addition it would create a new Community Facilities District that would permit rental of the facilities subject to a conditional use permit.

SECTION 3. ZONING ORDINANCE AMENDMENTS

That the Zoning Ordinance amendments are consistent with the General Plan.

The amendments to the PF district and new CF district are consistent with the General Plan Land Use Element and Land Use Map.

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN that the Zoning Ordinance shall be amended as shown on Exhibit 'A.'

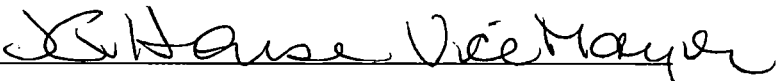
SECTION 4.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the San Anselmo Town Council on the 24th day of March, 2009, and was adopted at a regular meeting of the San Anselmo Town Council on the 14th day of April, 2009, by the following vote:

AYES: Freeman, Greene, House, Thornton

NOES: None

ABSENT: Breen


Peter Breen, Mayor

ATTEST:


Barbara Chambers, Town Clerk

Exhibit A to Town Council Ordinance No. 1070

PROPOSED ZONING ORDINANCE AMENDMENTS
FOR PUBLIC FACILITY AND COMMUNITY FACILITY USES

Article 2. Designation and Establishment of Districts

10-3.201 Purpose and Intent.

(l) PF Public Facilities District. This District is reflected on the General Plan Land Use Map as "Public Facility." This District is generally applied to all existing major public land uses, including the Town Corporation Yard, Town Hall, the Police Department, the Public Library, the Fire Service buildings, public parking lots, parks and public schools.

no change to subsections (m) and (n)

(o) CF Community Facilities District. This District is reflected on the General Plan Land Use Map as "Community Facility." This District is generally applied to certain Town-owned property and allows for private use of said properties when appropriate. Examples include the Isabel Cook Community Center and Robson Harrington House.

The hierarchy of use for Community Facilities parcels shall be in the following order, assuming substantially comparable lease terms:

1. Public use by the Town.
2. Rental to non-profit community organizations.
3. Rental to other private entities.