

Never numbered.
JW:jb

TOWN OF SAN ANSELMO
RESOLUTION NO. ____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR AMENDMENTS TO THE LAND USE AND OPEN SPACE ELEMENTS OF THE SAN ANSELMO GENERAL PLAN, AND THE ADOPTION OF SAID GENERAL PLAN AMENDMENTS.

SECTION I:

Findings. After due consideration of the recommendations of the San Anselmo Planning Commission, the administrative record from the Planning Commission hearings; the testimony of staff and members of the public including written correspondence, the Town Council finds and declares:

I. WHEREAS, the San Anselmo Town Council held duly noticed public hearings on January 29, February 5, February 12, February 19, and February 26, 1991 to consider a Negative Declaration; and

II. WHEREAS, the Town Council finds that, based on the Initial Study dated November 5, 1990, the proposed amendments to the Land Use and Open Space Elements of the General Plan as modified by the Town Council on February 26, 1991 will not have a significant impact on the environment and moved to approve the Negative Declaration of Environmental Impact; and

III. WHEREAS, the Town Council held duly noticed and continued public hearings on January 29, February 5, February 12, February 19, and February 26, 1991 to consider the Planning Commission recommended amendments to the General Plan dated January 28, 1991; and

III. WHEREAS, the Town Council finds that the content of the Land Use and Open Space Elements as recommended by the Planning Commission complies with Government Code Sections 65302(a)(b)(e); and

IV. WHEREAS, the Town Council finds that the recommended amendments to the Land Use and Open Space Elements are internally consistent and consistent with one another;

SECTION II:

NOW, THEREFORE, BE IT RESOLVED, the San Anselmo Town Council hereby approves and adopts a Negative Declaration of Environmental Impact for the proposed amendments to the Land Use and Open Space Elements of the San Anselmo General Plan, as modified. The Negative Declaration is attached as Exhibit 'A' of this resolution.

NOW, THEREFORE, BE IT RESOLVED, the San Anselmo Town Council hereby approves and adopts the Planning Commission recommended amendments to the

GENERAL PLAN AMENDMENTS

2/26/91

1. Page 16, under "a. Very Low Density--Hillside and Ridge (1 Unit/Gross Acre or Less)", paragraph 2:

add/delete: "The only land uses to be allowed within this category include single-family detached dwellings, roadways, driveways, **public uses similar to public parks, and public playgrounds**, trail access easements, utility installations, **state licensed small alcoholism and/or drug treatment facilities, small family day care homes, small pediatric day health and respite care facilities, small residential care facilities, including those serving the elderly and persons with chronic life-threatening illness, and any other residential facility mandated by state or federal law, foster homes**, and home occupations which are incidental and accessory to the allowed residential use. **Another Other uses which may be are permitted, although the Town shall have discretionary authority by use permit include: large family day care homes and a limited number of second units.**"

2. Page 16, under "b. Single Family Residential - Conservation (1 Unit/Gross Acre or Less), paragraph 1:

add: "The single family residential-conservation designation is assigned to those residential properties **that are one acre or more** and are located above the 150 foot mean sea level elevation, but outside of the land designated as Very Low Density (Hillside and Ridge)."

3. Page 16, under "b. Single Family Residential - Conservation (1 Unit/Gross Acre or Less), paragraph 1:

delete: "~~However, all existing lots which are smaller than one acre are to be incorporated into the conservation area as legal nonconforming parcels.~~"

4. Page 16, under "b. Single Family Residential - Conservation (1 Unit/Gross Acre or Less), paragraph 3:

add/delete: "The only land uses to be allowed within this category include single-family detached dwellings, roadways, driveways, **public uses similar to public parks, public playgrounds**, trail access easements, utility installations, **state licensed small alcoholism and/or drug treatment facilities, small family day care homes, small pediatric day health and respite care facilities, small residential care facilities, including those serving the elderly and persons with chronic life-threatening illness, and any other residential facility mandated by state or federal law, foster homes**, and home occupations which are incidental and accessory to the allowed residential use. **Another Other uses which may be are permitted, although the Town shall have discretionary authority by use permit include: churches, rooming houses, and large family day care homes and a limited number of second units.**"

5. Page 17, under "c. Single Family Residential (1-6 Units/Gross Acre), paragraph 1:

add: "**Much of the land above the 150 foot mean sea level elevation is visible from the Town's major roadways and established residential neighborhoods, and as such forms the major visual backdrop to the Town. In order to maintain the visual quality of the lands above the 150 foot mean sea level elevation, the Town intends to**

review the building location, access, and exterior design of structures proposed for vacant lots in this area. The Town may also consider the effect of new development in this area on the public health and safety issues related to site improvements."

Design review may also apply to existing developed properties above the 150 foot mean sea level elevation, if said review is necessary to protect the visual character of the hillside and the size of the proposed addition is large enough to warrant said review.

(reasoning: See discussion under No. 2 above)

6. Page 17, under "c. Single Family Residential (1-6 Units/Gross Acre), paragraph 3:

add/delete: "Land uses to be permitted include single-family detached dwellings, ~~licensed family care, foster, group, and day care homes, home occupations, parks, schools, playgrounds, and other public buildings, and public uses.~~ **public uses similar to public parks, public schools, public playgrounds, and other public buildings and public uses, trail access easements, utility installations, state licensed small alcoholism and/or drug treatment facilities, small family day care homes, small pediatric day health and respite care facilities, small residential care facilities, including those serving the elderly and persons with chronic life-threatening illness, and any other residential facility mandated by state or federal law, foster homes, and home occupations which are incidental and accessory to the allowed residential use.** ~~Other uses which are permitted may be permitted, although the Town will have discretionary authority by use permit, include:~~ churches, rooming houses, **large family day care homes and a limited number of second units.**"

7. Page 18, under "d. Medium Density Residential (6-12 Units/Gross Acre), paragraph 2:

add/delete: "The only land uses to be allowed within this category include single-family detached ~~homes~~ **dwellings**, duplex and triplex residential units, ~~licensed family care, foster, group, and day care homes, home occupations, parks, schools, playgrounds, and other public buildings, and public uses,~~ **public uses which are similar to public parks, public schools, and public playgrounds, state licensed small alcoholism and/or drug treatment facilities, small family day care homes, small pediatric day health and respite care facilities, small residential care facilities, including those serving the elderly and persons with chronic life-threatening illness, and any other residential facility mandated by state or federal law, foster homes, and home occupations which are incidental and accessory to the allowed residential use.** ~~Other uses which are permitted may be permitted, although the Town will have discretionary authority by use permit, include:~~ churches, rooming houses, **and large family day care homes.**

8. Page 18, under "e. High Density Residential (13-20 Units/Gross Acre), paragraph 2:

change: Multiple family units are to reflect in design the single family character of the Town and will, therefore, be limited in height to two stories, but not to exceed ~~thirty-five (35)-feet~~ **thirty (30) feet** in height.

9. Page 18, under "e. High Density Residential (13-20 Units/Gross Acre), paragraph 3:

add/delete: "Land uses to be permitted in this area include: single-family detached homes; duplexes; triplexes; ~~group dwellings~~; apartments; condominiums; ~~licensed family care, foster, group, and daycare homes~~; **public uses which are similar to public parks, public playgrounds, and public schools, public buildings, and other public uses, public parks, trail access easements, utility installations, state licensed small alcoholism and/or drug treatment facilities, small family day care homes, small pediatric day health and respite care facilities, small residential care facilities, including those serving the elderly and persons with chronic life-threatening illness, and any other residential facility mandated by state or federal law, foster homes, and home occupations which are incidental and accessory to the allowed residential use. Other uses which ~~are permitted~~ may be permitted, although the Town will have discretionary authority by use permit, include: churches, rooming houses, convalescent homes, bed and breakfast, **and large family day care homes.****

10. Page 19, under "f. Downtown Mixed Residential (6-20 Units/Gross Acre), paragraph 2:

add/delete: "Land uses to be permitted in this area include: single-family detached homes; duplexes; triplexes; ~~group dwellings~~, apartments, and condominiums; ~~licensed family care, foster, group, and daycare homes~~; and parks, playgrounds, schools, public buildings, and other public uses **public parks, public schools, and public playgrounds, utility installations, state licensed small alcoholism and/or drug treatment facilities, small family day care homes, small pediatric day health and respite care facilities, small residential care facilities, including those serving the elderly and persons with chronic life-threatening illness, and any other residential facility mandated by state or federal law, foster homes, and home occupations which are incidental and accessory to the allowed residential use.** ~~Other uses which are permitted~~ may be permitted, although the Town will have discretionary authority by use permit, include: churches, rooming houses, **convalescent homes, hotels bed and breakfast, professional offices, and large family day care homes,** and a limited number of second residential units.

11. Page 20, under "g. Housing Opportunity Areas/Apartments (14-28 Units/Gross Acre)", paragraph 2:

add/delete: "The Town will consider higher density for both rental and for sale projects which provide at least forty (40) percent of the **total** dwelling units within the development for low ~~or moderate~~ income families."

(reasoning: 1) without the word "total" it is unclear whether the 40% applies to only the density bonus units or the entire project; 2) If the option for lower or moderate income units exists, it is unlikely that low-income units will be created.)

12. Page 22, under "a. Central Commercial", paragraph 1:

add/delete: "The Central Commercial area can be found along portions of San Anselmo Avenue between the Hub and Ross Avenue, and Sir Francis Drake Boulevard between the Hub and ~~Ross Avenue~~ **Tunstead Avenue.**"

(reasoning: In the C-2 district, businesses are limited to those which do not have a high demand for off-street parking because on-site parking in the C-2 areas is inadequate. The intent of the C-2 designation is to address those properties near the Town's commercial core that do not have adequate off-street parking.)

In the block of 98 - 190 Sir Francis Drake Boulevard, there is on-site parking available and these properties should have a General Plan land use designation of C-3.)

13. Page 23, under "a. Central Commercial", paragraph 3:

add/delete: "... to be compatible with surrounding buildings, but shall not exceed 35 30 feet in height."

14. Page 23, under "b. General Commercial", paragraph 2:

add/delete: "... to be compatible with surrounding buildings, but shall not exceed 35 30 feet in height."

15. Page 24, under "c. Limited Commercial", paragraph 3:

add/delete: "... to be compatible with surrounding buildings, but shall not exceed 35 30 feet in height."

16. Page 24, under "d. Neighborhood Commercial/Mixed Residential", paragraph 4:

add/delete: "... to be compatible with those of the residences in the area, but shall not exceed 35 30 feet in height."

17. Page 24, under "c. Limited Commercial", paragraph 1:

delete: "The types of commercial activity which will not be allowed in the Limited Commercial area include ~~all restaurants, including~~ fast-food restaurants, quick-stop food stores, ~~and medical-office types of uses and services.~~"

18. Page 25:

add: **"e. Professional**

It is the intention for the uses permitted within the Professional act as buffers between C-2 Central Commercial and Residential Districts. It is further intended to allow professional uses which are reasonably compatible with adjacent residential uses, and particular emphasis shall be given to avoid problems of traffic, noise production, and other detriments to a residential neighborhood.

19. Page 46, Objective 2:

add: "To prohibit development on the ridge line and within the ridge zone of the **major** ridges identified on the Open Space and Conservation Map, **as well as the secondary ridges.**"

20. Page 47, Objective 4, Policy Trails

add: Policy 4.1 Trails shall be as shown on Pages B-5 and B-6 of the Trails Element of the Marin Countywide Plan.

change: current Policy 4.1 to 4.2; 4.2 to 4.3; 4.3 to 4.4; 4.4 to 4.5; 4.5 to 4.6; 4.6 to 4.7; 4.7 to 4.8; and 4.8 to 4.9.

21. Planned Land Use Map:

change: Certain Properties from Very Low Density and place in Single Family Residential-Conservation

(reasoning: some properties are shown as VLD on the land use map and due to their size should be R-1C)

22. Planning Land Use Map:

change: Certain Properties from Single Family Residential Conservation and place in Very Low Density

23. Planned Land Use Map:

change: Certain properties from Single Family Residential-Conservation and move to Single Family Residential

24. Planned Land Use Map:

Extend: Special Use Area for San Francisco Theological Seminary lands

25. Planned Land Use Map:

change: Certain properties on Sir Francis Drake Boulevard from C-3 to C-2:

Nos. 98 through 190: A/P 6-191-36, 6-191-37, 6-241-01, 6-241-02, 6-241-03, 6-241-41, 6-241-40, 6-241-05, 6-241-06 : C-3

opposite
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26. Planned Land Use Map:

change: Certain properties to be changed from C-2 to P:

- 11 San Rafael Avenue, A/P 7-211-11
- 16 San Rafael Avenue, A/P 7-162-16
- 18 San Rafael Avenue, A/P 7-162-15
- 12 Tamalpais Avenue, A/P 7-211-19
- 14 Tamalpais Avenue, A/P 7-211-20
- 27 Tamalpais Avenue, A/P 7-212-17
- 22 Magnolia Avenue, A/P 7-212-34
- 23 Magnolia Avenue, A/P 7-213-60
- 27 Magnolia Avenue, A/P 7-213-59
- 29 Magnolia Avenue, A/P 7-213-68
- 125 Pine Street, A/P 7-252-14
- 130 Pine Street, A/P 7-251-26

27. Planned Land Use Map

Sir Francis Drake Boulevard, A/P No. 6-091-65:

change: from L~~C~~ to R~~1A~~ SPD (parking lot)

*No - Town sold
for parking lot - no change
2/26/91*

28. Planned Land Use Map:

change: **Certain properties to be changed from R-3 to P:**

891 Sir Francis Drake Boulevard, A/P 6-081-01

915 Sir Francis Drake Boulevard, A/P 6-073-05

29. Planned Land Use Map:

Change key to include: **Professional category under COMMERCIAL heading.**

30. Planned Land Use Map

change: Certain properties from R-2 to R-1

2 Cedar Street 7-252-32
25 Cedar Street 7-222-10
27 Cedar Street 7-222-47
31 Cedar Street 7-222-48
90 Cedar Street 7-213-58

31 Magnolia Avenue 7-213-69

64 Mariposa Avenue 7-284-33
72 Mariposa Avenue 7-284-46

73 Ross Avenue 7-284-02

40 Tamalpais Avenue 7-211-26

24 Woodland Avenue 7-252-21
28 Woodland Avenue 7-252-22
30 Woodland Avenue 7-252-23
34 Woodland Avenue 7-252-24
38 Woodland Avenue 7-252-25
42 Woodland Avenue 7-252-26
48 Woodland Avenue 7-252-27
52 Woodland Avenue 7-252-28
54 Woodland Avenue 7-252-29
58 Woodland Avenue 7-252-30
60 Woodland Avenue 7-252-31

*Round up
footnote instead
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32. Planning Land Use Map

change: L-C to C-3:

810 Sir Francis Drake Boulevard A/P 6-061-22