

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO
ADOPTING THE GENERAL PLAN AMENDMENT TO CHANGE THE EXISTING LAND USE
DESIGNATION FROM PARKS/OPEN SPACE TO LIMITED COMMERCIAL AT
SPAULDING STREET AND LUNA LANE**

WHEREAS, assessor's Parcel Number 006-091-65 (Spaulding Street and Luna Lane) is currently identified on the San Anselmo General Plan Land Use Map with the designation of Parks/Open Space; and

WHEREAS, an application was filed with the Town of San Anselmo on July 29, 2010, requesting a General Plan Amendment to change the existing land use designation from Parks/Open Space to Limited Commercial; and a Rezoning from Residential Single Family (R-1) with a Specific Plan Development (SPD) overlay to Limited Commercial (C-L) with a Specific Plan Development (SPD) overlay; and Design Review for a proposed 12 space, ±4,000 square foot parking lot with retaining walls ranging in height from 2 feet to 6.5 feet and associated landscaping; and a Grading Permit to cut and fill over 100 cubic yards of earth or material located at Luna Lane and Spaulding Street, APN 006-091-65; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), staff prepared an Initial Study of potential environmental impacts for the proposed project and determined that potential impacts could be avoided or substantially reduced to a level of insignificance, with mitigation measures adopted as conditions of approval; and

WHEREAS, on September 27, 2011, a Mitigated Negative Declaration was posted in accordance with the Government Code, providing a 20 day comment period as required by Public Resources Code § 21091; and

WHEREAS, on October 17, 2011, the Planning Commission held a duly noticed public hearing and received a staff report and public testimony regarding the Mitigated Negative Declaration, General Plan Amendment, Rezoning, Design Review and Grading Permit, and continued the matter for further information; and

WHEREAS, on December 5, 2011, the Planning Commission held a continued public hearing, received public testimony and at the close of the public hearing after considering the staff report and public testimony, voted unanimously to approve the Design Review for a proposed 12 space, ±4,000 square foot parking lot with retaining walls ranging in height from 2 feet to 6.5 feet and associated landscaping and a Grading Permit to cut and fill over 100 cubic yards of earth or material and to forward to the Town Council a recommendation for approval of the requested Mitigated Negative Declaration, General Plan Amendment; and Rezoning of Assessor's Parcel Number 006-091-65 (Luna Lane and Spaulding Street); and

WHEREAS, on March 13, 2012, the Town Council held a duly noticed public hearing and received a staff report and public testimony regarding the Mitigated Negative Declaration, General Plan Amendment and Rezoning for a proposed located at Luna Lane and Spaulding Street, APN 006-091-65.

NOW, THEREFORE, the Town Council of the Town of San Anselmo does hereby find as follows:

The General Plan Amendment shall not have a significant adverse impact on the environment.

Staff prepared an Initial Study of potential environmental impacts and determined that potential impacts could be avoided or substantially reduced to a level of insignificance, with mitigation measures adopted as conditions of approval. A Mitigated Negative Declaration has been prepared and mitigation measures identified to avoid, substantially reduce, or compensate for the environmental impacts identified in the areas of Air Quality, Biology, Cultural Resources, Geology and Soils, Hydrology / Water Quality and Noise. These mitigation measures have been agreed to by the applicant and incorporated as draft conditions of approval.

The General Plan Amendment is deemed to be in the public interest.

Amending the General Plan to change the existing land use designation from Parks/Open Space to Limited Commercial is deemed to be in the public interest because it will provide off street parking for the two nearby parcels and reduce the demand for on street parking. The project was reviewed by the San Anselmo Open Space Committee and determined that the parcel does not have significant value as open space and the Committee is not interested in acquiring the parcel for open space. The amendment will allow the parcel to be developed in way that is consistent with the surrounding Limited Commercial land use designation and will not result in the loss of valuable open space land.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Town Council adopts the General Plan Amendment.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the San Anselmo Town Council on the 13th day of March, 2012 and was adopted at a regular meeting on the ___ day of _____, 2012 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Tom McInerney, Mayor

ATTEST:

Barbara Chambers, Town Clerk

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