

MINUTES

SAN ANSELMO CITY PLANNING COMMISSION

A meeting of the Planning Commission, City of San Anselmo, State of California, was held at 8:00 P. M., Monday evening, September 18, 1950, in the Council Chambers, City Hall, San Anselmo, California.

COMMISSIONERS PRESENT: Merritt Webster, Chairman, presiding
J. O. Meyerink, arriving 9:00 P. M.
Thomas Pring
Charles Alfsnes, arriving 8:30 P. M.
Mary Robinson Gilkey
E. D. Pitman

COMMISSIONERS ABSENT: None

The meeting was called to order by the Chairman at 8:10 P. M.,

PETITION FOR AMENDMENT TO ZONING ORDINANCE NO. 254 - Alice M. Jackson

The Chairman announced that this was the second legal hearing on the petition of Alice M. Jackson to reclassify the northerly portion of Lots 16 and 18, Lincoln Park from a First Residential District to a Second Residential District. He then opened the meeting for a discussion by proponents and opponents of the petition.

Arnold Jones, agent for the petitioner, reiterated that the potential buyer for the property wants to put in only a duplex. He contended that although a Second Residential District permitted apartments of four living units the deed restriction of Lincoln Park did not. He stated his opinion, which is contained in a letter on file with the Commission, that the Zoning Ordinance No. 254 should be amended to permit the establishment of a "duplex classification" which would be a suitable zoning in some areas where apartments might be objectionable.

The following people spoke objecting to any zoning classification in Lincoln Park but First Residential: Mrs. Louise Bettega, Charles A. Elliott, Edwin Christie, Margaret Paul and Thomas B. Rickey. Mr. August J. Lang also spoke in opposition stating that he had subdivided the district some thirty years past with the strict understanding that it would be kept as a first class residential district.

Commissioner Gilkey introduced the following resolution and moved its adoption:

Resolution No. 1A

WHEREAS: Alice M. Jackson has petitioned for an amendment to Ordinance No. 254 of the City of San Anselmo, in order to reclassify the northerly portion of Lots 16 and 18, Lincoln Park from a First Residential District to a Second Residential District, and

WHEREAS: The San Anselmo City Planning Commission did hold two public hearings thereon on the 11th and 18th days of September, 1950, both at the hour of 8:00 P. M., in the Council Chambers, City Hall, San Anselmo, California, and

WHEREAS: At said hearings all persons present and interested were heard thereon, and

WHEREAS: A petition signed by thirty-nine residents and property owners of Lincoln Park was filed with the Commission in opposition to the rezoning as above setforth, and

WHEREAS: The petitioner did not show that the public necessity, convenience or general welfare required the reclassification stating mainly that the property in question was too close to the business district to make it desirable for the permitted single family residential use and that the property was too expensive for an investment for a single family residence, and

WHEREAS: The Courts have often held that financial gain or cost of land is not a criterion which may be used to establish the proper use of land within any given area, and

WHEREAS: The property in question is similarly situated and of the same nature to the other properties in Lincoln Park upon which are now located single family residences and therefore said property can be used for a single family residence which is permitted under the present zoning classification, and

WHEREAS: The streets of Lincoln Park are already congested with traffic from the single family residences located therein due to their narrow nature and alignment and the increase of traffic from multiple residences located on individual building sites would further congest the streets and reflect on the desirability of the area for single family residences, and

WHEREAS: The protection of the single family residential characteristics and the social and economic stability of Lincoln Park require that no uses of land which are not compatible therewith, such as would be permitted in a second residential district, should be permitted therein,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Anselmo, State of California, does hereby find that the public necessity, convenience and general welfare do not require the amendment of Ordinance No. 254 to reclassify the northerly portion of Lots 16 and 18, Lincoln Park from a First Residential District to a Second Residential District.

BE IT FURTHER RESOLVED: That this Commission does recommend that the City Council, City of San Anselmo, State of California, do not amend said Ordinance as above setforth.

I hereby certify that the foregoing is a full, true, and correct copy of a resolution which was adopted by an affirmative vote of all the voting members of the City Planning Commission, City of San Anselmo, State of California, at a meeting thereof held on the 18th day of September, 1950.

Attest: *Mary Robinson Gilkey* Merritt Webster, Chairman
Mary Robinson Gilkey, Sec. Pro-tem.

Commissioner Pitman seconded the motion and it was passed by the following vote, to-wit:

AYES: Commissioners: Gilkey, Meyerink, Pring, Alxnes, Pitman and Webster.

NOES: None

The Chairman announced that this recommendation would be submitted to the City Council at their next meeting and that the Council would set a date for a further hearing thereon.

AMENDMENT TO ZONING ORDINANCE NO. 254 - re: SPECIAL USE PERMITS

There was considerable discussion on the adviseability of amending the Zoning Ordinance in order to provide for the granting of Use Permits for special uses of land which are excluded from some districts but might be found to be compatible within the district in some cases. It was deemed not adviseable to require spot zoning of less restrictive districts within the midst of an established residential district in order to permit some semi-public uses.

Therefore, Commissioner Pitman introduced the following resolution and moved its adoption:

Resolution No. 2A

WHEREAS: In order to preserve the zoning pattern of our City and yet permit certain public or quasi public uses of land from districts from which they are excluded by the terms of the ordinance and where there is a question of fact in each instance to determine whether or not a particular use will be detrimental to the area within which it is proposed to be located, there should be some method of review of each particular proposed use of such public nature by the City of San Anselmo.

NOW, THEREFORE, BE IT RESOLVED: That the Planning Commission, City of San Anselmo, State of California, does hereby declare it its intention to recommend the amendment of Ordinance No. 254, by adding a new section thereto to be known as Section 18.1 "Use Permits", so as to permit by special Use Permit granted by the City Planning Commission certain defined uses of land in districts from which they are now excluded, where the Commission finds that the establishment, maintenance or conducting of the use for which the use permit is sought will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood.

BE IT FURTHER RESOLVED: That this Commission does hereby set times and places for public hearings on said proposed amendment, at which times and places any and all persons interested may appear and be heard thereon, which times and places are as follows, to-wit:

1. At the hour of 8:00 P.M., Monday evening, on the 9th day of

October, 1950, in the Chamber of the City Council in the City Hall, San Anselmo, California.

2. At the hour of 8:00 P. M., Monday evening, on the 23rd, day of October, 1950, in the Chambers of the City Council in the City Hall, San Anselmo, California.

BE IT FURTHER RESOLVED: That the Secretary of this Commission be and the same is hereby directed to give notice of the aforesaid hearings by causing notice of said hearings to be published as provided by law in a newspaper of general circulation in said City.

I hereby certify that the foregoing is a full, true and correct copy of a resolution which was adopted by an affirmative vote of all the voting members of the City Planning Commission, City of San Anselmo, State of California at a meeting thereof held on the 18th day of September, 1950.

Attest:

Merritt Webster, Chairman

Mary Robinson Gilkey, Secretary, Pro-tem.

Commissioner Pring seconded the motion and it was passed by the following vote, to-wit:

AYES: Commissioners: Gilkey, Meyerink, Pring, Alfsnes, Pitman and Webster.

NOES: None

APPLICATION FOR ADJUSTMENT - W. P. Landon, 74 Austin Avenue.

The Commission again considered the request of W. P. Landon for permission to construct a garage to within three (3') of Austin Avenue at the above address.

Several of the Commissioners had investigated the property. It was found that it was possible to construct a new garage conforming to the requirements of the ordinance, therefore, there was no condition of land requiring the adjustment. It was also found that to construct the garage as proposed would place it in front of a home on adjoining property and require the excavation of land along the common property line with a neighboring home which would be detrimental to the adjoining property.

Therefore, upon a motion by Commissioner Pring, seconded by Commissioner Alfsnes and unanimously carried, The Commission resolved to deny the application of W. P. Landon as above set forth.

ADJOURNMENT

There being no further business the meeting was adjourned upon a motion by Commissioner Alfsnes.

Mary Robinson Gilkey, Secretary, Pro-Tem.

LEGAL NOTICE

NOTICE OF HEARING

Notice is hereby given that the City Planning Commission of the City of San Anselmo, County of Marin, State of California, by a resolution thereof adopted on the 18th day of September, 1950, did declare its intention and has recommended to the San Anselmo City Council the amendment of Ordinance No. 254, by adding a new section thereto to be known as Section 18.1 "USE PERMITS", so as to permit by special Use Permit granted by the City Planning Commission certain defined uses of land in districts from which they are now excluded where the Commission finds that the establishment, maintenance or conducting of the use for which the use permit is sought will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood; a certified copy of which said resolution and proposed amendment of said ordinance is on file in the office of the City Clerk, City Hall, San Anselmo, California.

Notice is hereby given that the San Anselmo City Council will hold a public hearing on said proposed amendment, at which time and place any and all persons interested therein may appear and be heard thereon, which said time and place is as follows, to-wit:

1. At the hour of 8:00 P.M., on the 14th day of November, 1950 in the Chambers of the City Council in the City Hall, San Anselmo, California.

~~By ORDER OF THE CITY COUNCIL~~
~~Dated: San Anselmo, California~~
~~October 30, 1950~~


RAY H. OVERDICK, City Clerk
San Anselmo, California

dated: 30 October 1950