

AGENDA ITEM 2

**TOWN OF SAN ANSELMO
STAFF REPORT
May 17, 2005**

For the Meeting of May 24, 2005

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Appointments to the Arts Commission, Measure G Monitoring Committee and the Planning Commission

RECOMMENDATION

That Council make appointments to the Arts Commission (two seats available), the Measure G Monitoring Committee (2 seats available) and the Planning Commission (2).

BACKGROUND

The Arts Commission has a membership of nine seats. The Commission presently has two vacancies, to terms expiring in October, 2007. Council has interviewed one candidate, Merit E. Toutjian.

The Measure G Monitoring Committee has a membership of six seats. The Committee presently has two vacancies, to terms expiring in February, 2006. Council has interviewed one candidate, Phillip Tweedie.

The Planning Commission has a membership of seven seats. The Commission presently has two vacancies, to terms expiring in August, 2005 and August, 2007. Council has interviewed three candidates, Daniel F. Carlson, John Shearin and Daniel Krebs.

Applications are attached for each candidate.

Respectfully submitted,

Debra Stutsman
Town Administrator

Attachments

AGENDA ITEM 3

TOWN OF SAN ANSELMO
STAFF REPORT
May 16, 2005

For the meeting of May 24, 2005

TO: Town Council

FROM: Debra Stutsman, Town Administrator

SUBJECT: Budgetary Crisis

RECOMMENDATION

That Council approve the attached position paper on the Town's budgetary crisis for use in public meetings and direct staff to:

- a) Set up and publicize two public hearings on Tuesday, June 14, 2005 from 7:00 p.m. to 8:00 p.m. (before the regular Council meeting) and on Saturday, June 18, 2005 from 10:00 a.m. to 11:00 a.m. to present the Town's budget situation and solicit input on a proposed ballot measure.
- b) Schedule Councilmembers/staffmembers to attend the regular Board/Commission/Committee meetings in June and July to present the Town's budget situation and solicit input on a proposed ballot measure.
- c) Schedule Councilmembers/staff members to attend June or July Chamber of Commerce, Ross Valley Rotary and other civic meetings to present the Town's budget situation and solicit input on a proposed ballot measure.

BACKGROUND

At the meeting of May 10, Council directed staff to begin preparations for a public information effort to gather feedback from residents on a potential ballot measure and to prepare a position paper that summarizes the Town's budgetary situation. Staff was also directed to come back with the specifics of a possible special tax for Public Safety, which is scheduled for the meeting of June 14, 2005.

Respectfully submitted,

Debra Stutsman
Town Administrator



Budgetary Crisis

The Town, like many California towns and cities, is facing a severe fiscal crisis, caused by three factors:

- Continued loss of local taxes to State government.
- Flat revenues (with the exception of property taxes) since 2001.
- Increasing personnel costs – in particular, healthcare, pension and workers compensation costs.

The Town Council has taken the following steps in the last three years to reduce expenses and increase revenues:

- Left vacant eight (8) positions out of a total of sixty three (63), including police officers and a dispatcher, parks and streets maintenance workers and administrative staff.
- Deferred equipment purchases, capital projects and maintenance to Town buildings.
- Increased fees and fines and installed parking meters in downtown parking lots.
- Deferred employee salary increases.

Faced with an additional shortfall in 2005-06, the Town Council appointed a Fiscal Advisory Committee to review the Town's financial situation. The Committee concluded that:

- The Town will face a cumulative shortfall of \$6.5 million over the next five fiscal years.
- The Town has been in a tight expense reduction mode for three years, with nothing left to cut without greatly impacting the quantity and quality of Town services.
- \$1.66 million per year for four years is needed to normalize the operations of the town and rebuild the depleted reserve.
- A new tax assessment is the only means under the Town's control to close the gap between reduced revenues and increased expenditures.

The Committee did an assessment of the Town of San Anselmo's operations in comparison to other Marin cities and towns and found:

- Police protection costs are lower in San Anselmo than in all Marin jurisdictions with the exception of Novato.
- Fire protection costs are the lowest per capita cost in all of Marin.
- Per capita costs of providing general services per San Anselmo resident are below the Marin average.
- Virtually all of San Anselmo's senior managers receive below-average compensation.

To further reduce expenditures drastic action would have to be taken, such as:

- Closing the Library.
- Closing parks.
- Eliminating road repairs.
- Further reducing police services.
- Eliminating the volunteer program.
- Eliminating donations to the community.

AGENDA ITEM 4

TOWN OF SAN ANSELMO
TOWN COUNCIL STAFF REPORT
For the meeting of 5-24-05

DATE: 5-19-05

TO: Mayor and Council Members

FROM: Rabi Elias, Public Works Director

SUBJECT: Approve the Safe Route to School Project on Butterfield Rd. and Brookside Dr. and authorize soliciting bids.

RECOMMENDATION

Approve the project and authorize the Public Works Director to solicit bids.

DISCUSSION

This project is a Safe Route to School Grant (SR2S) consisting of the following work:
On Brookside Dr. from Broadmoor Ave. to Brookmead Pl. construct sidewalk on the north side with ADA required ramps. Install stop signs at Brookmead Pl. and stripe crosswalks.

On Butterfield Rd. construct sidewalk on the east side from Arroyo Ave. to Town limit. Stripe bicycle lanes and crosswalks. Replace signage and markings along the whole length of Butterfield Road. Remove allowed present parking from Suffield Ave. to Meadowcroft Ave to allow for continuous bicycle lanes. Install new traffic signal heads to improve the pedestrian movements.

Please refer to attached plans for the details.

FISCAL IMPACT

Estimated project cost		\$348,000
Funding:		
SR2S grant	\$313,200	
Local share, Measure G 04-05	\$034,800	
Total		\$348,000

AGENDA ITEM 5

TOWN OF SAN ANSELMO
TOWN COUNCIL STAFF REPORT
For the meeting of 5-24-05

DATE: 5-19-05

TO: Mayor and Council Members

FROM: Rabi Elias, Public Works Director

SUBJECT: Approve the Oak Springs Landslide Repair Project and authorize soliciting bids.

RECOMMENDATION

Approve the project and authorize the Public Works Director to solicit bids.

DISCUSSION

The repair of this slide was a part of a court settlement agreement. The repair method is engineered buttress fill retained at the bottom with a gabion wall. An engineered buttress fill consists of excavating the slope to sound earth and recompacting the material as engineered fill reinforced with layers of geo-grid that will hold it together. This method of repair is partially as recommended by the settlement agreement, however, it differs by not using any massive concrete structures. The reason those structures were included was because the scope of work was limited to the slide area, which due to the steepness of the slope could not have been done with engineered fill alone. Now that the Town owns the Lombard property, we chose to extend the repair way below the slide area in order to achieve a slope that will allow a complete engineered buttress fill work with a gabion wall at the bottom.

The face of the completed repair work will be planted. When the vegetation takes hold and grows, the slope will meld with adjacent natural landscape and the slide will barely be noticeable.

FISCAL IMPACT

Costs, estimated:

Construction	\$600,000	
Contingency	\$060,000	
Engineering	\$080.000	
Total		\$740,000

Funding:

Town Insurance Plan	\$500,000	
Town General Fund	\$240,000	
Total		\$740,000

AGENDA ITEM 6

TOWN OF SAN ANSELMO STAFF REPORT

May 19, 2005

For the Meeting of May 24, 2005

TO: Town Council

FROM: Lisa Wight, Planning Director

SUBJECT: Mitigated Negative Declaration and Introduction of an ordinance rezoning from Specific Planned Development (SPD) for an Automobile Detailing/Repair Operation to Specific Planned Development (SPD) for a Residential Development: 2 Single Family Dwellings, 4 "Workforce" Apartments (low to moderate income), and 4 Townhouses at 1535 Sir Francis Drake Boulevard, APN 005-153-01.

RECOMMENDATION

That the Town Council approve the Negative Declaration and introduce an ordinance next in order rezoning the property to SPD for a residential development: 2 single family dwellings, 4 "workforce" apartments (low to moderate income) and 4 townhouses.

APPLICANT Joseph Maguire, 46 Oakland Avenue, San Anselmo, California 94960

BACKGROUND

May 10, 2005 Town Council discussed the application and continued the hearing for staff to come back with a resolution based on the plans that were presented to at the April 12th meeting, except with 2 houses, instead of 3, for staff to work with the applicant so that the 2 houses have more generous setbacks and 8 additional units - 4 workforce and 4 townhouses.

April 12, 2005: Town Council reviewed the photomontage and continued the hearing

for the applicant to consider elimination of the third detached single

family dwelling and language for the soil testing.

January 24, 2005: Town Council referred back to the applicant to prepare a photo montage from at least two locations.

December 6, 2004: Planning Commission recommended approval (ayes: 3; noes: 1 (Harris); abstain: 2 (Pipkin, Zwick))

DISCUSSION

New Information since the May 10th hearing:

- The detached dwellings have been changed to: 2 single family detached dwellings: Building A at 2,269 square feet and Building B at 2,145 square feet, both 3 bedroom and two stories.

Changes to setbacks include: The south (Medway Road properties) setback has increased to 20' (Building A had been at 17' ±) and increased to 16'+ for the uncovered deck (Building A and B had been at 13'-15' ±); and the west (Oak Knoll) setback increasing to 12' for Building A (had been at 5'±).

The setback between the two detached dwellings A and B will be increased to 20' on the first floor and 57' on the second floor.

- The townhouse building remains at 4 townhouse units and 4 workforce apartments.

A second bathroom has been added to both Townhouse Units 2 and 3, but the square footage remains the same.

The 4 workforce apartments will be below market rate (up to moderate income) units for sale.

- Off-site Improvements

The public improvements required by the Public Works Director are as indicated on the plans for the multipurpose path along Sir Francis Drake Boulevard and the ADA ramp at the corner of Sir Francis Drake Boulevard and Oak Knoll Avenue.

Changes since the last meeting: The applicant will install the driveway on Oak Knoll Avenue. In addition, he will dedicate a two-foot easement along the property line to the right of way of the Town and remit the sum of \$20,000 to the Town to cover the public improvements of widening Oak Knoll Avenue to 24 feet.

RECOMMENDATION

That the Town Council approve the Mitigated Negative Declaration and introduce an ordinance next in order rezoning the property to SPD for a residential development of 2 single family dwellings, 4 "workforce" apartments (low to moderate income) and 4 townhouses, and continue the hearing to May 24, 2005 for adoption of the ordinance.

Attachments: Draft Ordinance
Town Council minutes dated May 10, 2005
Architect's letter dated May 19, 2005

c: Joseph Maguire, applicant
Jim McDonald, architect
TOWN OF SAN ANSELMO

ORDINANCE NO. 0403

AN ORDINANCE OF THE TOWN OF SAN ANSELMO APPROVING A MITIGATED NEGATIVE DECLARATION AND REZONING FROM SPECIFIC PLANNED DEVELOPMENT (SPD) FOR AN AUTOMOBILE DETAILING/REPAIR OPERATION TO SPECIFIC PLANNED DEVELOPMENT (SPD) FOR A RESIDENTIAL DEVELOPMENT: 2 SINGLE FAMILY DETACHED DWELLINGS, AND A BUILDING CONTAINING 4 TOWNHOUSES AND 4 "WORKFORCE" APARTMENTS (LOW TO MODERATE INCOME) ON APN 005-153-01, 1535 SIR FRANCIS DRAKE BOULEVARD.

SECTION I. PLANNING COMMISSION ACTION

WHEREAS, an application was filed with the Town of San Anselmo on June 15, 2004, requesting environmental review and SPD rezoning, and was determined complete on September 12, 2004; and

WHEREAS, the Planning Commission held duly noticed public hearings on October 5, November 15, and December 6, 2004, and considered the negative declaration and Specific Planned Development rezoning. Comments were received from staff and the audience; and

WHEREAS, the Planning Commission approved Resolution No. 0403 with conditions, recommending to the Town Council approval of the negative declaration and SPD rezoning on December 6, 2004, on the grounds that the required findings of approval could be made.

SECTION II. TOWN COUNCIL ACTION

WHEREAS, the Town Council held duly noticed public hearings on January 25, 2005 April 12, 2005, and May 10, 2005 to introduce an ordinance rezoning the property, at which time they considered the recommendations of the Planning Commission and took comments from staff and the audience, and continued the matter;

WHEREAS, the Town Council held a duly noticed public hearing on May 24, 2005, at which time they introduced an ordinance rezoning the property, after considering new information from the applicant, staff and the audience, and continued the matter to June 14, 2005 for adoption of the ordinance.

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

SECTION III. ENVIRONMENTAL REVIEW

1. That the above project would have a less than significant impact on the environment.

Due to the scope and design of the project (10 units) and its location (at the corner of Sir Francis Drake Boulevard and Oak Knoll Avenue), the project should have no impacts on land use and planning, geology and soils, hydrology/water quality, mineral resources, and cultural resources, and less than significant impacts on population and housing, air quality, biological resources, noise, public services, aesthetics, and recreational facilities. The project would have a less than significant impact with the mitigation measures (attached to the negative declaration) on transportation/circulation, utilities and service systems, and hazards/hazardous materials.

SECTION IV. REZONING

1. The lot or lots is/are of sufficient size and otherwise suitable for planned development.

The property is of sufficient size and suitable for planned development.

2. The lot or lots can best be developed by a specific integrated plan approved by the Town in advance of development.

Due to the location of the property on Sir Francis Drake Boulevard and surrounding development and local streets, it can best be developed by a specific integrated plan.

3. Planned development of the property would promote the purposes set forth in SAMC Section 10-3.901.

Due to the property's size and aesthetic appeal, it cannot be appropriately developed through adherence to rigid zoning designations and restrictions. The special characteristics of this lot necessitate a flexible approach to its development, which will provide for logical and orderly development, and at the same time, promote the health, safety, and general welfare of the Town. Planned development contemplates flexibility and variety in the location of buildings and the diversity of lot sizes and building designs. The Planned Development District is intended to accommodate various types of development, including single family residential developments, multiple housing

developments, and any combination of uses, which can be made a part of a planned development.

4. *The planned development is consistent with the Town's General Plan, with specific reference to the applicable sections of the General Plan.*

The project would be consistent with the General Plan for the following reasons:

LAND USE ELEMENT:

"Policy 1.2: Future growth will be managed based on the ability to provide needed public services, the constraints associated with development of the site, the costs and revenues associated with new development, and the effects of growth on local traffic conditions."

It has been shown that public services can be provided for this project, the applicant will pay for off-site improvements, and the Traffic Study has determined that the increase in traffic shall not have a significant impact on local traffic conditions.

"Policy 3.2: Single-family residential development is most appropriate within and adjacent to existing single family areas, and in areas easily served with water and sewer lines. Such areas should also serve as transition zones between mixed density and very low density areas."

The two detached single family dwellings are proposed to be located adjacent to detached dwellings on Medway Road, the project can be served by existing water and sewer lines, and the detached dwellings will serve as a transition between the apartments and townhouses on Sir Francis Drake Boulevard and the lower density on Oak Knoll Avenue and Medway Road.

"Policy 3.3: Mixed residential and housing opportunity development is also appropriate along major traffic arterials and adjacent to commercial and office areas."

The townhouses and workforce housing are proposed to be located on Sir Francis Drake Boulevard.

"Policy 3.4: Mixed residential and housing opportunity development is also appropriate along major traffic arterials and adjacent to commercial and office areas."

See 3.3 above.

"Policy 11.1: New development, including rehabilitation and expansion projects, shall be of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood."

The scale of the townhouses and workforce apartments would be of a scale, intensity and design that integrates with the existing character of the Sir Francis Drake Boulevard neighborhood, and the scale of the detached dwellings would be of a scale, intensity and design that integrates with the existing character of the Oak Knoll Avenue/Medway Road neighborhood.

"Policy 11.2: Medium and large scale development projects in both single family and mixed residential areas shall provide for a variation in building heights and exterior wall and roof articulation to avoid monotonous structures with a large, blank visual bulk and mass."

The structures are designed to have variation in building heights and exterior wall and roof articulation such that the structures are visually interesting to break up any mass.

"Policy 12.1: To work with the special districts that provide water, sewer, and fire protection services in order to maintain and improve upon the present level of service."

The Town has obtained "will serve" letters from Marin Municipal Water District, Ross Valley Sanitary District, and both the Ross Valley Fire and San Anselmo Police Departments have responded with their comments.

"Policy 12.2: To require all new development with the Town to be served by public water and fire protection agencies and, where feasible, the public sewer system."

The project would be served by Marin Municipal Water District, Ross Valley Sanitary District, and both the Ross Valley Fire and San Anselmo Police Departments.

"Policy 16.1: All new developments in the Town should be designed to minimize vegetation removal, soils compaction, and site coverage."

The project would have balanced cut and fill at approximately 200 cubic yards. Vegetation removal would be of a heritage fan palm tree (circumference is 76.32"), which is located in the Town right of way. It was planted by a former tenant of No. 1535 in 1993 without Town approval, is not native to Northern California, and is located in the area where the sidewalk is proposed to be widened to meet ADA regulations.

"Policy 16.4: To repair and improve the Town's storm drainage system to handle existing and projected runoff."

Installation of storm drains on Oak Knoll Avenue and Medway Road would not be the responsibility of this development. The Town Engineer would require, however, that surface drainage be piped to the streets and not over adjacent private property.

CIRCULATION ELEMENT:

"Policy 1.2: To limit the intensity of developments which may have the potential to make a residential street traffic dominated."

The Traffic Study reports that this project will not make the residential streets traffic dominated.

"Policy 1.3: To promote traffic safety by channeling through traffic away from residential streets."

The project includes two egress driveways with right turn only signs, which places the vehicles on Sir Francis Drake Boulevard.

"Policy 3.2: All new major developments or subdivisions will be required to submit information to the Town as to their effect on the level of service at impacted intersections."

A Traffic Study was prepared, which states the project should not have a significant impact.

"Policy 4.1: To direct through traffic away from residential areas of the Town by using such techniques as landscaping and traffic islands . . . one-way traffic controls . . . do not pose a problem to public safety."

See 1.3 above.

"Policy 5.1: To maximize the use of local streets for regional bicycle traffic."

"Policy 6.1: San Anselmo's pedestrian way system is intended to link residential areas with local community destination points (i.e., parks, schools, town hall, commercial areas)."

The Sir Francis Drake Boulevard sidewalk is proposed to be widened to between 10' and 12' and will serve as a multipurpose path for pedestrians and bicyclists.

"Policy 6.2: Sidewalks and walkways will be considered in new residential projects but may not be mandatory."

See 6.1 above.

"Policy 8.1: to improve traffic circulation along Sir Francis Drake Boulevard by authorizing limited improvements such as . . . improvements at existing intersections . . ."

The Oak Knoll Avenue/Sir Francis Drake Boulevard intersection is proposed to be improved with Oak Knoll road and turning radius widening.

HOUSING ELEMENT:

"Policy 1.2: Design that fits into the neighborhood: It is the Town's intent that neighborhood identity and sense of community will be enhanced by designing all new housing to have a sensitive transition of scale and compatibility in form to the surrounding area. New development in existing residential areas shall be of a scale and character complementary to that of the neighborhood in order to protect overbuilding of the property."

This project has a "sensitive transition of scale and compatibility" with the surrounding area. The detached homes are adjacent to the Medway Road detached homes, and the townhouse/workforce apartments are adjacent to multi-residential housing.

"Policy 2.1: Housing for local workers: The Town will strive to provide an adequate supply and variety of housing opportunities to meet the needs of San Anselmo's workforce and their families, striving to match housing types and affordability, with household income."

Four workforce apartments, four townhouses, and 2 detached dwellings are proposed.

"Table 25: Summary of Potential Multi-Family Housing Sites and Opportunities"

The number "15" was assigned to this property based on the location of the project (near public transportation, adjacent to an arterial street, near other multiple family dwellings) and the Land Use Element discussion of Housing Opportunity Areas that would serve as an incentive to provide housing for low and moderate income families and that incentive would be to allow 28 units per acre if 40% of a project was developed for low or moderate income families.

SECTION V. Conditions of Approval

Plans:

1. Approval is based on the site plans and floor plans dated stamped received on May 19, 2005, the elevation plans of the townhouse building date stamped received on November 22, 2004, and the elevation plans of the two detached dwellings date stamped received on May 24, 2005.

2. Prior to Building permit issuance for construction of the dwelling units and tentative map approval, a professional environmental consultant shall take additional soil and ground water samples in different areas of the site. Should contamination be found, a second mitigated Negative Declaration shall be circulated detailing the clean up operation parameters. Should contamination be found at the site, the applicant must clean it up to the satisfaction of the San Francisco Regional Water Quality Board before the dwelling units are constructed. Should clean up not be possible, this Ordinance shall be repealed and the zoning shall revert to Specific Planned Development (SPD) for an automobile detailing/repair operation.

3. Prior to Building permit issuance for construction of the dwelling units, the tentative parcel map shall be subject to Planning Commission review and approval by the Town Council. This tentative map shall include the specific lot designs.

4. Prior to Building permit issuance for construction of the dwelling units, a use permit application shall be subject to approval by the Planning Commission and their approval obtained, which includes specifics, such as building materials, exterior colors, landscape plan including plant species, sizes, irrigation, and fencing, driveway materials, etc.

Grading and Drainage:

5. Prior to Building permit issuance for construction of the dwelling units, a grading plan and drainage plan shall be subject to approval by the Town Engineer.

6. Roof drainage from Buildings D and E shall be to Sir Francis Drake Boulevard.

Right of Way:

7. Prior to issuance of the Certificate of Occupancy: Off-site improvements to the right of ways on Oak Knoll Avenue (road widening, turning radius, sidewalk, driveway approach) and Sir Francis Drake Boulevard (sidewalk and driveway approach) shall be completed to the satisfaction of the Town Engineer.

8. Prior to building permit issuance, the applicant shall prepare and file with the Public Works Director, a construction management plan, which includes a videotape of the roadway conditions on Sir Francis Drake Boulevard, Oak Knoll Avenue and Medway Road prior to construction. The applicant shall also post a road improvement bond or provide other assurance to the Town that damage to public streets resulting from construction vehicles will be corrected. The plan should include: 1) on-site storage of equipment and vehicles; 2) all construction equipment shall be adequately muffled and maintained; 3) hours of construction; etc.

9. Prior to issuance of the Certificate of Occupancy, Right Turn Only signs shall be installed by the Town at the applicant's expense near the Oak Knoll Avenue and Sir

Francis Drake Boulevard exits. The San Anselmo Police Department shall determine such signs and their locations so that that Department can enforce them.

Landscaping:

10. Prior to issuance of the Certificate of Occupancy, the landscaping shall be planted and automatically irrigated as shown on the landscape plan.

11. Prior to building permit issuance for construction of the dwelling units, those trees along the rear property line, which are to be preserved, shall be protected according to the an Arborist's recommendations in order to minimize damage to these existing trees during construction of the dwelling and infrastructure. This includes protecting trees during installation of the utility lines. All protection shall remain in place until construction is completed.

Lighting:

12. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level, low wattage light fixtures, which cast light in a downward direction. Such lighting should be permitted for safety and security purposes only and must be unobtrusive and maintain privacy.

General:

13. Should construction not begin within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date.

14. Units WF 1, WF 2, WF 3 and WF 4 which are identified as "workforce housing", shall be available to households of low to moderate-income (80%-120% of median) for Marin County, by ownership. The term, "workforce" generally means that such units would be made affordable to private and public sector workers with incomes at or below that of teachers, public safety workers, and other professionals. Prior to recordation of the final subdivision map, the applicant shall enter into an agreement with the Town and the Housing Authority of the County of Marin, which is authorized by law to participate in programs that provide housing for households of low and moderate income, that the 4 designated "workforce units" would continue to be available as workforce housing for a period of 35 years.

Introduced at a regular meeting of the San Anselmo Town Council on the May 24, 2005, and PASSED AND ADOPTED by the San Anselmo Town Council at a regular meeting on June 14, 2005, by the following vote:

AYES:

NOES:

ABSENT:

Peter Breen, Mayor

ATTEST: *Barbara Chambers, Town Clerk*

AGENDA ITEM 7 – CONTINUED TO JUNE 14, 2005

AGENDA ITEM 8

**TOWN OF SAN ANSELMO
STAFF REPORT**

May 20, 2005

For the Meeting of May 24, 2005

TO: Town Council

FROM: Lisa Wight, Planning Director

SUBJECT: 100 Hillside Avenue, APN 7-121-25, 7-121-40, 7-121-59, and 7-131-06, 1) Environmental review (Negative Declaration); 2) General Plan amendments to change the designations to Single Family Conservation, currently designated Single Family and Very Low Density; and 3) Rezoning to R-1 C (Single family Residential-Conservation Area), currently located in the R-1 and R-1 H zoning districts.

RECOMMENDATION

That the Town Council approve the Negative Declaration; approve a Resolution amending the General Plan, and introduce an ordinance next in order rezoning the property from R-1 and R-1 H to R-1 C (Single family Residential-Conservation Area).

APPLICANT Rev. Zuikei Taniguchi, 2325 Pacific Avenue, Alameda, California 94501

BACKGROUND

March 21, 2005: Planning Commission approval of Resolution recommending approval of the Negative Declaration, General Plan Amendments and Rezoning.

February 28, 2005: Planning Commission conditional approval of lot line relocations between APN Nos. 7-121-25, 7-121-39, 7-121-40, 7-131-06, 7-131-58 and 7-131-63, which reduced three legal, undeveloped lots to two.

DISCUSSION

Refer to Planning Commission Resolution of Approval, minutes, and staff report dated March 21, 2005.

REQUIRED FINDINGS FOR APPROVAL

Refer to attached Town Council Resolution and Draft Ordinance

RECOMMENDATION

1. Approval of a Resolution approving the Negative Declaration and General Plan Amendments;
2. Introduction of an Ordinance rezoning the property; and
3. Continuance to the meeting of June 14, 2005 for adoption of the Ordinance.

Attachments: Town Council Resolution and Draft Ordinance
 Negative Declaration and Environmental Checklist
 Planning Commission Resolution of Approval Recommendation,
 minutes, and staff report dated March 21, 2005
 APN map

c: Reverend Zuikei Taniguchi, applicant
 Marty Zwick, architect

**TOWN OF SAN ANSELMO
 TOWN COUNCIL RESOLUTION NO. ____**

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL
 AMENDING THE GENERAL PLAN LAND USE MAP FOR THE
 PROPERTY KNOWN AS 100 HILLSIDE AVENUE AS FOLLOWS: 1.
 APN 7-121-25 & 7-131-06: FROM CURRENT GENERAL PLAN
 DESIGNATION OF SINGLE FAMILY TO SINGLE FAMILY-
 CONSERVATION; 2. APN 7-121-40 & 7-121-59: FROM CURRENT
 GENERAL PLAN DESIGNATION OF R-1 H TO R-1 C**

WHEREAS, a public hearing was held by the Planning Commission on March 21, 2005, where the Planning Commission approved a Resolution recommending approval of the Negative Declaration of environmental impact, the General Plan amendments and Rezonings to Single Family Conservation/R-1 C;

WHEREAS, the Town Council held a public hearing to consider the Planning Commission recommendation to approve the Negative Declaration and amend the General Plan Land Use Map on May 24, 2005;

WHEREAS, the Town Council approved a Resolution approving the Negative Declaration and General Plan Amendments to the Land Use Map changing the designation of subject properties to Single Family-Conservation on May 24, 2005.

NOW, THEREFORE, be it resolved that the Town Council finds the following:

1. Negative Declaration of Environmental Impact:

The project shall not have a significant effect upon the environment.

The project should not have a significant adverse impact on the environment. Specifically, there should be no adverse impacts on the environment in terms of land use, population and housing, geology, hydrology, air quality, transportation, biological resources, mineral resources, hazards, noise, public services, utilities and services, aesthetics, cultural resources, and recreation associated with amending the General Plan Land Use Map to Single Family-Conservation.

2, GENERAL PLAN LAND USE MAP AMENDMENTS

That the General Plan Amendments are deemed to be in the public interest.

It would be in the public interest to amend the General Plan such that the three parcels, all exceeding one acre in size, be assigned the designation of Single Family Conservation on the Land Use Map for a maximum density of one unit per acre. Those lots currently designated Single Family and proposed to be Single Family Conservation, would result in a larger minimum lot size requirement, and the lot currently designated Very Low Density and proposed to be Single Family Conservation would retain the maximum density of one unit per acre.

SECTION 2.

Judicial review of an administrative decision of the Town Council must be filed with the Court not later than the 90th day following the date of the Council's decision (Code of Civil Procedure Section 1094.6).

PASSED AND ADOPTED at a meeting of the Town Council of the Town of San Anselmo on the 24th day of May, 2005, by the following vote:

AYES:

NOES:

ABSTAIN:

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk

**TOWN OF SAN ANSELMO
ORDINANCE NO. ____**

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO REZONING THE
PROPERTY KNOWN AS 100 HILLSIDE AVENUE AS FOLLOWS: 1.
APN 7-121-25 & 7- 131-06: FROM CURRENT ZONING OF R-1 TO R-1
C; 2. APN 7-121-40 & 7-121-59: FROM CURRENT ZONING OF R-1 H TO
R-1 C**

The Town Council of the Town of San Anselmo does hereby ordain as follows:

SECTION 1. PLANNING COMMISSION ACTION

WHEREAS, the Planning Commission held a public hearing on March 21, 2005 to consider a Negative Declaration of environmental impact, General Plan Amendments to the Land Use Map and Rezonings;

WHEREAS, the Planning Commission approved a Resolution recommending approval of the Negative Declaration of environmental impact, the General Plan amendments and Rezonings to Single Family Conservation/R-1 C on March 21, 2005;

SECTION II. TOWN COUNCIL ACTION

WHEREAS, the Town Council approved a Resolution approving the Negative Declaration and General Plan Amendments to the Land Use Map changing the designation of subject properties to Single Family-Conservation on May 24, 2005;

WHEREAS, the Town Council introduced an Ordinance rezoning the properties to R-1 C (Single Family Residential Conservation Area) on May 24, 2005, continuing the public hearing for ordinance adoption to June 14, 2005.

WHEREAS, the Town Council adopted an Ordinance rezoning the properties to R-1 C (Single Family Residential Conservation Area) on June 14, 2005.

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

SECTION III. ENVIRONMENTAL REVIEW

1. Negative Declaration of Environmental Impact:

The project shall not have a significant effect upon the environment.

The project should not have a significant adverse impact on the environment. Specifically, there should be no adverse impacts on the environment in terms of land use, population and housing, geology, hydrology, air quality, transportation, biological resources, mineral resources, hazards, noise, public services, utilities and services, aesthetics, cultural resources, and recreation associated with the rezoning to R-1 C.

SECTION IV. Rezoning

The rezoning shall be consistent with the General Plan.

The General Plan land use map amendments were approved by the Town Council on May 24, 2005, the proposed rezonings would be consistent with the General Plan.

Those lots currently zoned R-1 Single Family and proposed to be rezoned to R-1 C Single Family Conservation would result in a larger minimum lot size requirement. The lots currently zoned R-1 H and proposed to be rezoned to R-1 C would no longer require filing of a precise development plan, but would still require the same level of design review in terms of meeting the goal of low visual profile and still have the maximum density of one unit per acre.

This Ordinance to rezone the property to R-1 C is consistent with the goals and polices of the Land Use Element of the General Plan, as the Land Use Map has been amended. Specifically, that the General Plan calls for a maximum density of one unit per acre, which is consistent with the R-1 C zoning.

SECTION V.

Judicial review of an administrative decision of the Town Council must be filed with the Court not later than the 90th day following the date of the Council's decision (Code of Civil Procedure Section 1094.6).

PASSED AND ADOPTED at a meeting of the Town Council of the Town of San Anselmo on the 24th day of May, 2005, by the following vote:

AYES:

NOES:

ABSTAIN:

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk

AGENDA ITEM 9

TOWN OF SAN ANSELMO STAFF REPORT

May 19, 2005

For the Meeting of May 24, 2005

TO: Town Council
FROM: Lisa Wight, Planning Director
SUBJECT: Planning Commission recommendation: Approval of a Negative Declaration and Zoning Ordinance Amendments

PLANNING COMMISSION RECOMMENDATION

That the Town Council approve the Negative Declaration and Introduce an Ordinance Amending the Zoning Ordinance, specifically; Article 3: Land Use: Table 3A (Land Use Table); Article 4: Development Standards: Table 4A (Development Standards Table), Table 4B (Minor Intrusions into Required Residential Development Standards), Table 4D (Table of R-1 H Hillside Density District Parcels), and Table 4E (Maximum Sizes of Dwellings on Residential Properties Located above 150 Mean Sea Level Elevation); Article 5: Parking; and Article 17: Definitions; and continue the hearing on Article 1: Adoption of Ordinance (New Inclusionary Ordinance (Affordable Housing)).

BACKGROUND

March 22, 2005: Wording changes were suggested to be made to a few items, comments were received from the audience and the matter was continued to May 24, 2005. Additionally, it was noted that the proposed amendment to Article 1 (New Inclusionary Ordinance) would be continued to June 14, 2005 so that staff could do additional research before bringing it forward to the Town Council.

DISCUSSION

Reference the May 10, 2005 Town Council minutes and staff report for discussion of the ordinance amendments.

REQUIRED FINDINGS FOR APPROVAL

Listed in attached Ordinance.

RECOMMENDATION

1. That the Town Council approve the Negative Declaration and Introduce an Ordinance amending the Zoning Ordinance, specifically; Article 3: Land Use: Table 3A (Land Use Table): Article 4: Development Standards: Table 4A (Development Standards Table), Table 4B (Minor Intrusions into Required Residential Development Standards), Table 4D (Table of R-1 H Hillside Density District Parcels), and Table 4E (Maximum Sizes of Dwellings on Residential Properties Located above 150 Mean Sea Level Elevation); Article 5: Parking; and Article 17: Definitions.
2. That the Town Council announce that the scheduled hearing for the adoption of the Zoning Ordinance amendments is June 14, 2005.
3. That the Town Council continue the hearing to introduce the Ordinance amendments to Article 1: Adoption of Ordinance (New Inclusionary Ordinance) to the June 14, 2005 meeting.

Attachments: Zoning Ordinance draft revisions
Negative Declaration and Environmental Checklist
Town Council staff report dated May 10, 2005

TOWN OF SAN ANSELMO
ORDINANCE NO. ____

**AN ORDINANCE OF THE TOWN OF SAN ANSELMO APPROVING A
NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND
AMENDMENTS TO THE ZONING ORDINANCE, SPECIFICALLY TO:
ARTICLES 3, 4, 5, AND 17 OF CHAPTER 10.**

SECTION 1.

WHEREAS, on January 27, 2004, the Town Council formed a subcommittee (two Councilmembers and two Planning Commissioners), to review various zoning standards; and

WHEREAS, the subcommittee subsequently met several times to review the current ordinance language and discuss specific changes, with their recommendation made to the Planning Commission in December, 2004.

WHEREAS, the Planning Commission held a duly noticed public hearing on February 7, 2005, and considered the Negative Declaration and Zoning Ordinance Amendments and received comments from staff and the audience; and

WHEREAS, on February 7, 2005, the Planning Commission recommended approval of the Negative Declaration and Zoning Ordinance amendments to the Town

Council and specifically requested that comments received from members of the public be forwarded to the Town Council;

WHEREAS, the Town Council announced at their meeting on March 22, 2005, that these ordinance amendments would be continued to the April 12, 2005 meeting, which was subsequently continued from both the April 12 and April 26, 2005 meetings to the May 10, 2005 meeting;

WHEREAS, the Town Council held a duly noticed public hearing on May 10, 2005 to consider the Negative Declaration and introduce an ordinance amending Articles 3, 4, 5 and 17 of Title 10, at which time they considered the recommendations of the Planning Commission and took comments from staff and the audience, and continued the ordinance amendments to May 24, 2005, and the amendments to Article 1 to the June 14, 2005 meeting;

WHEREAS, the Town Council held a duly noticed public hearing on May 24, 2005 to consider the Negative Declaration and introduce an ordinance amending Articles 3, 4, 5 and 17 of Title 10, at which time they considered the recommendations of the Planning Commission and took comments from staff and the audience, and continued the ordinance amendments for adoption to June 14, 2005, and the amendments to Article 1 for introduction to the June 14, 2005 meeting;

WHEREAS, the Town Council held a duly noticed public hearing on June 14, 2005 and adopted the ordinance amendments to Articles 3, 4, 5, and 17 of Title 10.

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

SECTION 2. ENVIRONMENTAL REVIEW

That the above project would have no significant impact on the environment.

The Zoning Ordinance amendments should have no adverse impact on land use and planning, geology and soils, hydrology/water quality, air quality, biological resources, mineral resources, hazards/hazardous materials, noise, public services, utilities and service systems, aesthetics, cultural resources, and recreational facilities, and less than significant impacts on population and housing, and transportation/circulation.

SECTION 3. REZONING

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

The Zoning Ordinance Amendments would be consistent with the General Plan, specifically:

- Article 3 -Table 3A (Land Use Table): limited to a relocation of existing language from Section 10-3.303(c) to Table 3A. No inconsistency with General Plan.

- Article 4 - Table 4A (Development Standards Table): adds design review of roof decks, makes flatland design review cumulative, extends maximum height of chimneys, references inclusionary ordinance, excludes second units. No inconsistency with General Plan.
- Table 4B (Minor Intrusions into Required Residential Development Standards): transfers some Planning Commission review of minor items to administrative review, exempts some items. No inconsistency with General Plan.
- Table 4D (Table of R-1 H Hillside Density District Parcels): strictly cleanup on APN changes and lot status. No inconsistency with General Plan.
- Table 4E (Maximum Sizes of Dwellings on Residential Properties Located above 150 Mean Sea Level Elevation): strictly cleanup on adjusted floor area definition.
- Article 5 (Parking): Provides for garages on vacant lots. No inconsistency with General Plan.
- Article 17: Definitions. Cleanup; and changes to Day Care definitions to be consistent with State regulations. No inconsistency with General Plan.

SECTION 4.

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 5.

Judicial review of an administrative decision of the Town Council must be filed with the Court not later than the 90th day following the date of the Council's decision (Code of Civil Procedure Section 1094.6).

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo at a regularly scheduled meeting on June 14, 2005, by the following roll call vote:

AYES:

NOES:

ABSENT:

Peter Breen, Mayor

ATTEST:

Barbara Chambers, Town Clerk