

Read in full
May 13th

CITY OF SAN ANSELMO

ORDINANCE NO. 434

AN ORDINANCE AMENDING ORDINANCE NO. 358 ENTITLED "AN ORDINANCE REGULATING AND LIMITING THE WIDTH OF DRIVEWAY ENTRANCES IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS IN THE TOWN OF SAN ANSELMO, CALIFORNIA, AND PROVIDING FOR SIDEWALKS IN AND ABOUT SAID DRIVEWAY AREAS, AND PROVIDING FOR CONFORMANCE WITH THIS ORDINANCE BY ALL PRESENT NON-CONFORMING DRIVEWAYS AND SIDEWALKS AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF,"

by amending Sections 1, 2, 3 and 4, and adding ~~a~~ new subsections ~~1~~, 2(a), ^{AND} 2(b), and adding a new section 3.1, and a new section 5.1.

The City Council of the City of San Anselmo does ordain as follows:

SECTION 1. Section 1, of Ordinance No. 358 is hereby amended to read as follows: It is hereby ordained, found and determined that public interest, health, safety, convenience and necessity and the normal and ordinary use of the streets and sidewalks in the City of San Anselmo require that the location and width of driveway entrances or approaches in said City be regulated and limited.

SECTION 2. Section 2, of Ordinance No. 358 is hereby amended to read as follows: It is hereby declared to be unlawful for any person, firm or corporation to cut and remove the curb on any public street to erect, construct or maintain any driveway entrance or approach leading from the street into any premises, structure or building frontage thereon, or for any other purpose, or to erect, construct or maintain any such driveway entrance or approach where no established curb exists, without first having secured a written permit so to do from the Superintendent of Streets of said city, and then only upon the following terms, conditions and regulations as to permitted widths and locations of such driveway entrances or approaches, according to the use to be made of said premises, structure or building.

SECTION 3. Ordinance No. 358 is hereby amended by adding a new sub-section, hereby designated as sub-section 2(a), reading as follows: Any driveway entrance or approach leading from the street into any premises, structure or building to be used exclusively for residential purposes shall not be of greater width than twenty (20) feet, measured over the sidewalk area, nor shall any such driveway entrance or approach be permitted within thirty (30) feet of the corner of any intersecting streets.

SECTION 4. Ordinance No. 358 is hereby amended by adding a new sub-section, hereby designated sub-section 2(b), reading as follows: Any driveway entrance or approach leading from the street into any premises, structure or building to be used for manufacturing, industrial, or commercial purposes shall not be of greater width than forty (40) feet nor shall any such driveway entrance or approach be permitted within thirty (30) feet of the corner of any intersecting streets.

SECTION 5. Section 3 of Ordinance No. 358 is hereby amended to read as follows: No additional driveway entrances or approaches shall be erected, constructed or maintained into or from the same premises, structure or building used for residential purposes in the City, except that if any such premises, structure or building is situated on a corner of intersecting streets then one additional driveway or approach may be erected, constructed or maintained into or from said premises, structure or building provided each of such driveways or approaches shall be from separate street frontages, and further excepting, that if any such premises, structure or building shall be maintained for multiple housing then one additional driveway or approach may be erected, constructed or maintained into or from said premises, structure or building provided that such two driveways or approaches on one street frontage shall be separated by a sidewalk area or island not less than forty (40)

feet in width from any other driveway entrance or approach measured at the narrowest point.

SECTION 6. Ordinance No. 358 is hereby amended by adding a new sub-section, hereby designated as sub-section 3.1, reading as follows: No additional driveway entrances or approaches shall be erected, constructed or maintained into the same premises, structure or building used for manufacturing, industrial, or commercial purposes at a distance closer than twenty-two (22) feet to any existing driveway entrance or approach, and in all cases where two or more driveway entrances or approaches are erected, constructed or maintained they shall be separated by a sidewalk area or island not less than twenty-two (22) feet in width at the narrowest point to any existing driveway entrance or approach.

SECTION 7. Section 4 of Ordinance No. 358 is hereby amended to read as follows: Any driveway entrance or approach constructed in the City shall be so erected, constructed or maintained so as to not impair the sidewalk area for pedestrian travel, and all such driveway entrances or approaches across the sidewalk area of any public street shall be erected or constructed pursuant to any and all ordinances of the City of San Anselmo regulating the location, size, grade and the type of materials to be used in the paving of any portion of the sidewalk area and the grade and slope of any such driveway entrances or approaches.

SECTION 8. Ordinance No. 358 is hereby amended by adding a new section, hereby designated as Section 5.1, reading as follows: The City Council is authorized and empowered to grant adjustments and variances from the provisions of this ordinance, provided it shall be shown to the satisfaction of the City Council and the City Council shall find that all of the following are shown to exist in the particular case:

(a) That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same district.

(b) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.

(c) That the granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

SECTION 9. This Ordinance shall be published once in full 15 days after final passage in the Ross Valley Times, a weekly newspaper of general circulation, printed, published and circulated in said City.

SECTION 10. This Ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

The foregoing Ordinance was introduced and passed and adopted at an ^{adjourned} regular meeting of the City Council of the City of San Anselmo held on Tuesday, the 27th day of May, 1958, and passed by the following vote:

AYES: *Councilman: Booth, Stuckcomb, Little, Franchini, Smith*

NOES: " *none*

ABSENT: " *none*

Arthur W. Smith
MAYOR OF THE CITY OF SAN ANSELMO

ATTEST:

Arleta Gannon
CITY CLERK.