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

ARTICLE 1. ADOPTION OF ZONING (DISTRICT) PLAN

Sec. 10-3.101 There is hereby adopted a zoning ordinance for the City of San Anselmo, based upon the adopted Master Plan of the City to be made part of the Municipal Code of the City of San Anselmo under Title 10, Chapter 3, as follows.

Sec. 10-3.102 PURPOSE OF THE PLAN. The plan is adopted to provide reasonable protective regulations designed to promote and protect the public health, safety, peace, morals, comfort, convenience and welfare. All uses of land in the City of San Anselmo in a manner contrary to this Code are unlawful.

(a) To protect the established character and the social and economic stability of agricultural, residential, commercial, industrial and other types of improved areas, and

(b) To assist in providing a definite comprehensive plan for sound and orderly development, and to guide and regulate such development in accordance with the Master Plan and the objectives and standards set forth therein.

Sec. 10-3.103 EFFECT OF THE PLAN. The zoning plan consists of the establishment of various districts and within some, all, or none of which districts it shall be lawful, and within some, all, or none of which districts it shall be unlawful to erect, construct, alter, move, locate, or maintain certain buildings or to carry on certain trades or occupations or to conduct certain uses of land or of buildings; within which the height and bulk of
future buildings shall be limited; within which certain open spaces shall be required about future buildings and consisting further of appropriate additional regulations to be enforced in such districts, all as set forth in this Ordinance.

Sec. 10-3.101 The zoning is intended to apply to all private, public, quasipublic, institutional, and public utility properties and all other lands, buildings and structures within the incorporated area of the City of San Anselmo.

ARTICLE 2. DESIGNATION OF DISTRICTS.

Sec. 10-3.201 The several classes of general districts hereby established and into which the City is or may be divided are designated as follows:

R-1 Single Family Residence District
R-2 Two-Family Residence District
R-3 Neighborhood Apartment District
R-4 General Apartment District
C-1 Neighborhood Business District
C-2 Central Business District
C-3 General Commercial District
P D Planned Development District
C M Commercial-Manufacturing District

Sec. 10-3.202 In addition to the foregoing classes of districts, certain combining districts are established and are designated as follows:

A Special Agricultural District
B Special Building Site District
F Special Highway Frontage District
P Special Parking District

CD Special Civic District

ARTICLE 3. ESTABLISHMENT OF DISTRICTS.

Sec. 10-3.301 The classes of districts and certain combinations thereof as designated in Article 2, and the regulations pertaining thereto, are hereby applied to the land areas of the City, as delineated on the "Zoning Map of the City of San Anselmo", and the land areas designated thereon shall be subject to the provisions and regulations of this Ordinance.

Sec. 10-3.302 The "Zoning Map of the City of San Anselmo" and all
amendments thereto are hereby made a part of this ordinance, and constitute Sec. 10-3.322 thereof.

Sec. 10-3.303 Where uncertainty exists as to the boundaries of any of the aforesaid districts as shown on said Zoning Map, the following rules shall apply:

(a) Where such boundaries are indicated as approximately following street and alley lines, such street and alley lines shall be construed to be such boundaries.

(b) Where such boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.

(c) In unsubdivided property and where a district boundary divides a lot, the location of any such boundary, unless the same is indicated by dimensions shown upon said Zoning Map, shall be determined by the use of the scale appearing on the Map. The location of a district boundary may be adjusted within a single lot by application of the Variance procedure of this Ordinance.

(d) In case further uncertainty exists, the Planning Commission, upon written application or upon its own motion, shall determine the location of such boundaries, and recommend the adoption thereof to the City Council and said City Council shall accept or reject the recommendation.

ARTICLE A. DEFINITIONS.

Sec. 10-3.401 Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure", and the word "shall" is mandatory and not directory. The term "City Council" shall mean the City Council of San Anselmo, and "Planning Commission" shall mean the Planning Commission of San Anselmo. The word "City" shall mean the incorporated area of the City of San Anselmo.
Sec. 10-3.402 "Accessory Building": A detached subordinate building the use of which is incidental to that of the main building on the same lot, or to the use of the land.

Sec. 10-3.403 "Agency": An office or commercial establishment in which goods, material, or equipment is received for servicing, treatment or processing elsewhere.

Sec. 10-3.404 "Alley": A way not exceeding thirty (30) feet in width which affords only a secondary means of access to real property, abutting the way.

Sec. 10-3.405 "Apartment House": Any building or portion thereof which is designed and built for occupancy by three or more families.

Sec. 10-3.406 "Basement": A space partly or wholly underground and having more than one-half its height, measured from its floor to its ceiling below the average adjoining grade. If the finished floor level directly above a basement is more than six (6) feet above average adjoining grade at any point, such basement shall be considered a story.

Sec. 10-3.407 "Bedroom": A room providing facilities for sleeping.

Sec. 10-3.408 "Boarding House": A building, or portion thereof, other than a hotel, where regular meals for five (5) or more persons are provided for compensation or profit.

Sec. 10-3.409 "Building": Any structure having a roof supported by columns or walls and intended for the housing or shelter of any person, animal or chattel.

Sec. 10-3.410 "Building Coverage": The land area covered by all buildings on a lot, including all projections except eaves.

Sec. 10-3.411 "Building Height": The vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, ridge or parapet wall.
Sec. 10-3.412 "Building Site": The land area occupied by or capable of being covered by all structures permissible under this Ordinance.

Sec. 10-3.413 "Communications Equipment Building": A building housing electrical and mechanical equipment necessary for the conduct of a Public Utility Communications business with or without personnel.

Sec. 10-3.414 "Dwelling Group": Two or more detached one or two family dwellings, other than a commercial tourist or motor court, located upon a building site, together with all open spaces as required by this ordinance.

Sec. 10-3.415 "Dwelling": A building designed for/or occupied by one or more persons or families as a residence.

Sec. 10-3.416 "Dwelling, One Family": A building designed for/or intended for occupancy by one family as a residence.

Sec. 10-3.417 "Dwelling, Two Family": A building containing not more than two kitchens, designed for/or used to house not more than two families, as residences living independently of each other.

Sec. 10-3.418 "Dwelling, Multiple Family": A building designed for/or used to house three or more families, as residences, living independently of each other.

Sec. 10-3.419 "Family": One person living alone, or two or more persons related by blood, marriage, or legal adoption; or a group not exceeding five persons living together as a single housekeeping unit.

Sec. 10-3.420 "Garage, Private": An accessory building or portion of a building, including covered parking space or car port designed for/or used primarily for the shelter or storage of vehicles by the occupants of the dwelling.

Sec. 10-3.421 "Garage, Commercial": A building, other than a private garage, used for the parking, repair of servicing of motor vehicles.

Sec. 10-3.422 "Garage, Parking": A public garage designed for/or used on a commercial basis for the storage only of vehicles.
Sec. 10-3.423 "Helicopter Port": Land improved and intended to be used for the landing and taking off of helicopters or vertical flying aircraft.

Sec. 10-3.424 "Home Occupation": Any use carried on within a dwelling by the inhabitants thereof which use is compatible with this ordinance and is incidental only to the residential use of the dwelling, and which use:

(a) Is confined completely within a legal structure and occupies not more than 25% of the floor space of a dwelling or 50% of that of an accessory building.

(b) Involves no sales of merchandise other than that produced on the premises, or is directly related to and incidental to the services offered.

(c) Is carried on by the members of the family occupying the dwelling with not more than one other person employed.

(d) Produces no evidence of its existence upon or beyond the premises except one sign affixed to the dwelling house, not, however, to exceed two (2) square feet in area and pertaining directly to the particular home occupation.

Sec. 10-3.425 "Hotel": Any building or portion thereof containing six or more guest rooms used or intended or designed to be used, let or hired out to be occupied or which are occupied by six or more guests, whether the compensation for hire to be paid directly or indirectly in money, goods, wares, merchandise, labor or otherwise and shall include hotels, lodging houses, rooming houses, dormitories, Turkish baths, bachelor hotels, studio hotels, public and private clubs and any such building of any nature whatsoever so occupied, designed or intended to be so occupied, except jails, hospitals, asylums, sanatoriums, orphanages, prisons, detention homes and similar buildings where human beings are housed or detained under legal restraint.

Sec. 10-3.426 "Junk Yard": Any area of 200 square feet or more used for the commercial storage of junk or scrap materials, or for the wrecking or dismantling of automobiles or other vehicles, appliances or machinery.
Sec. 10-3.427 "Lot": A parcel of land used or capable of being used under the regulations of this Ordinance, and including both the building site and all required yards and other spaces and frontage as defined herein.

Sec. 10-3.428 "Lot, Corner": A lot located at the junction of two or more intersection streets, with a boundary line thereof bordering on each of such streets. The shortest such street frontage shall constitute the front of the lot.

Sec. 10-3.429 "Lot, Key": Is any lot with all or part of a side contiguous to an adjoining rear lot line.

Sec. 10-3.430 "Non-Conforming Building": A building or structure or portion thereof lawfully existing at the time this Ordinance became effective, which was heretofore designed, erected, or structurally altered for a use that does not conform to the use regulations of the district in which it is located.

Sec. 10-3.431 "Outdoor Advertising": Any outdoor display of advertising material in any form upon any physical structure or natural object.

Sec. 10-3.432 "Outdoor Advertising Sign or Structure": Any structure upon which outdoor advertising is placed or displayed.

Sec. 10-3.433 "Outdoor Advertising Structure": Any structure of any kind or character erected, maintained or used for outdoor advertising purposes, upon which any outdoor advertising is or may be placed, including portable structures and structures mounted on wheels.

Sec. 10-3.434 "Parking Lot": An area of land, a yard or other open space on a lot used for or designed for use by standing motor vehicles.

Sec. 10-3.435 "Parking Space": Land or space not less than 10 feet wide by 20 feet long, and 7 feet high, privately owned, covered or uncovered, laid out for, surfaced, and used or designed to be used by standing motor vehicle.

Sec. 10-3.436 "Service Station": A retail business establishment supplying gasoline and oil, and minor accessories and services for automobiles.
Sec. 10-3.437 "Set Back Line": A line established by this Ordinance to govern the placement of buildings with respect to streets or alleys or property lines.

Sec. 10-3.436 "Servants Quarters": A secondary dwelling or apartment without any kitchen facilities designed for and used only by persons or the families of persons regularly employed on the property.

Sec. 10-3.439 "Stable, Commercial": A stable for horses to be let, hired, or used on a commercial basis.

Sec. 10-3.440 "Stable, Private": A horse stable to be used by the owner thereof.

Sec. 10-3.441 "Structure": Anything constructed or erected upon the ground or attached to a structure having location on the ground.

Sec. 10-3.442 "Story": That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement is more than six (6) feet above grade at any point, such basement shall be considered a story.

Sec. 10-3.443 "Street": A public way or permanent private way more than thirty (30) feet in width either of which affords a primary means of access to property.

Sec. 10-3.444 "Structural Alterations": Any change in the supporting members of a building, as bearing walls, columns, beams or girders and floor joists, ceiling joists or roof rafters.

Sec. 10-3.445 "Tourist Court": A group of buildings designed for use by tourists or transients with living or sleeping rooms, garages, parking spaces and related facilities advertised or offered on a commercial basis, including an auto court, motor court and motor lodge.
Sec. 10-3.446  "Trailer": A vehicle designed, equipped or used as a dwelling or for living or sleeping purposes.

Sec. 10-3.447  "Trailer Court": A lot or parcel of land used or designed or intended to be used for the accommodations of two or more trailers.

Sec. 10-3.448  "Use": The purpose for which land or premises or a building thereon is designed, arranged or intended or for which it is or may be occupied or maintained.

Sec. 10-3.449  "Use, Accessory": A use incidental and accessory to the principal use of a lot, or a building.

Sec. 10-3.450  "Yards": Land unoccupied or unobstructed by structures except for such encroachments as may be permitted by this Ordinance, surrounding a building site.

Sec. 10-3.451  "Yard Front": A yard extending across the full width of the lot lying and measured between the front lot line (or the lot line connected to a street by legal access) and the nearest line of the main building or enclosed or covered porch. The front yard of a corner lot is the yard adjacent to the shorter street frontage.

Sec. 10-3.452  "Yard, Rear": A yard extending between the side yards of the lot and lying and measured between the rear line of the lot and the rear line of the main building or enclosed or covered porch nearest the rear line of the lot.

Sec. 10-3.453  "Yard, Side": A yard on either side of the lot extending from the front yard to the rear lot line, the width of each such yard being measured between the side line of the lot and the nearest part of the main building or enclosed or covered porch.

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ARTICLE 5. R-1, SINGLE FAMILY RESIDENCE DISTRICT REGULATIONS.

Sec. 10-3.501 The following specific regulations and the general rules set forth in Article 19 shall apply in all R-1 Districts. It is intended that this district classification be applied in areas subdivided and used, or designated to be used for single-family residential development.

Sec. 10-3.502 Uses Permitted:

(a) One-family dwellings, (one per building site), and private garages, accessory buildings and uses.

(b) Agriculture, horticulture, gardening, keeping of animals as permitted by City Ordinance, but not including stands or structures for the sale of agricultural or nursery products.

(c) Underground utility installations, and above ground utility installations for local service, except that substations, communications equipment buildings, generating plants, and gas holders must be approved by the Planning Commission prior to construction, and the routes of proposed electric transmission lines shall be submitted to the Planning Commission for recommendation prior to acquisition of rights of way therefor.

(d) Public parks, schools, playgrounds, libraries, firehouses and other public buildings and public uses included in the Master Plan.

Sec. 10-3.503 Uses Requiring Use Permits:

(a) Private and religious schools, nursery schools and day care centers.

(b) Churches.

(c) Golf courses and country clubs.

(d) Temporary tract sales offices and related signs, and tract construction offices and equipment yards.

(e) Home Occupations, of any kind.
(f) Additional independent living quarters in the main building which are found to be reasonable in the particular case, or to be necessary to house domestic help or family members who require special care or attention.

(g) The renting of rooms and/or the providing of table board for not more than two paying guests in the main dwelling.

Sec. 10-3.50h Minimum Height, Bulk and Space Requirements.

(a) Lot Area:

(1) Interior Lots - 5,000 square feet.

(2) Corner Lots - 6,000 square feet.

(b) Lot Width:

(1) Average width, interior lots, 50 feet.

(2) Average width, corner lots, 60 feet.

(3) Minimum street frontage, all lots, 40 feet.

(c) Maximum Main Building Coverage: 40%

(d) Front Yard: 15 feet.

(e) Side Yard:

(1) Interior side yards, 5 feet.

(2) Street side of corner lot, 10 feet.

(3) One foot shall be added to side yards for each story above the first story of any building.

(f) Rear Yards: 15 feet.

(g) Parking Spaces: Two spaces for each dwelling unit in a residential building, and on the same lot as such building.

(h) Building Height Limit: Two (2) stories, but not to exceed 35 feet.

ARTICLE 6 R-2 TWO FAMILY RESIDENTIAL DISTRICT REGULATIONS

Sec. 10-3.601 The following specific regulations and the general rules set forth in Article 19 shall apply in all R-2 Districts. It is intended that this district classification be applied where two-family dwellings are, or are intended to be the dominant uses.
Sec. 10-3.602 Uses Permitted:

(a) Uses as permitted in R-1 Districts. (Sec. 30-3.502)
(b) Two Family dwellings. (one per building site).

Sec. 10-3.603 Uses Requiring Use Permits:

(a) Those uses permitted in R-1 Districts upon obtaining a use permit. (10-3.503)

Sec. 10-3.604 Minimum Height, Bulk and Space Requirements.

(a) Lot Area:
   (1) Interior lots, 5,000 square feet.
   (2) Corner lots, 6,000 square feet.

(b) Lot Width:
   (1) Average width, Interior lots, 50 feet.
   (2) Average width, Corner lots, 60 feet.
   (3) Minimum street frontage, all lots 40 feet.

(c) Maximum Main Building Coverage: 50%

(d) Front Yard: 15 feet.

(e) Side Yard:
   (1) Interior Side Yards, 5 feet.
   (2) Street Side of Corner Lots, 10 feet.
   (3) One foot shall be added to side yards for each story above the first story of any building.

(f) Rear Yards: 15 feet.

(g) Parking Spaces: Two (2) spaces for each dwelling unit in residential buildings, and on the same lot as such building.

(h) Building Height Limit: Two (2) stories, but not to exceed thirty-five feet.
ARTICLE 7. R-3. NEIGHBORHOOD APARTMENT DISTRICT REGULATIONS

Sec. 10-3.701 The following specific regulations and the general rules set forth in Article 19 shall apply in all R-3 Districts. It is intended that this district classification be applied in areas where homes and small apartments are the desirable uses.

Sec. 10-3.702 Uses Permitted:

(a) Uses as permitted in the R-1 and R-2 Districts, and group dwellings and apartments, not to exceed four dwelling units per 5,000 square feet of lot area.

(b) Boarding and lodging houses.

(c) Private garages, or parking lots uncovered and screened by suitable walls or planting, when operated by or in conjunction with a permitted use.

(d) Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use.

(e) Advertising signs pertaining directly to a permitted non-residential use on the property, and not to exceed one sign of a maximum area of two square feet for any such use, or as provided in a Use Permit.

Sec. 10-3.703 Uses Requiring Use Permits.

(a) Uses as Permitted in R-1 Districts. (Sec. 10-3.503)

(b) Motels, hospitals, rest homes, sanitariums, administrative offices, professional offices for doctors, dentists, architects, engineers, accountants, artists, authors, attorneys, real estate and insurance offices, medical and dental clinics, and other uses which in the opinion of the majority of the whole Planning Commission, are similar to the foregoing; and clubs, lodges and fraternities, except those operated as a business or for profit.
Sec. 10-3.70h Minimum Height, Bulk and Space Requirements.

(a) Lot Area:
   (1) Interior Lots, 5,000 square feet.
   (2) Corner Lots, 6,000 square feet.

(b) Lot Widths:
   (1) Average Width, interior lots, 50 feet.
   (2) Average Width, corner lots, 60 feet.
   (3) Minimum street frontage, all lots, 40 feet.

(c) Maximum Main Building Coverage: 50% of the lot area.

(d) Front Yard: 15 feet.

(e) Side Yard:
   (1) Interior side yards, 5 feet.
   (2) Street side of corner lots, 10 feet.
   (3) One foot shall be added to side yards for each story above the first story of any building.

(f) Rear Yard: 15 feet

(g) Distances Between Main Buildings on Same Lot:
   (1) Group dwellings in a single row "side-to-side" series facing a side lot line; side yards to the rear of buildings, eight (8) feet; side yards in front of buildings, fourteen (14) feet; distance between buildings, ten (10) feet.

   (2) Group dwellings in a double row "side-to-side" series facing a central court; side yards to the rear of buildings, eight (8) feet; width of central court twenty-four (24) feet; distance between buildings, ten (10) feet.

   (3) The rear yard on a lot on which a dwelling group is constructed may be reduced to not less than twelve (12) feet. No building in a group dwelling development shall have the rear thereof abutting upon a street.
(h) Parking Spaces: On Site: one space for studio or one bedroom apartments; one and one-half spaces for two bedroom apartments; two spaces for more than two bedrooms in residential buildings and motels. A half space remaining in any computation shall mean a whole space; not less than one square foot of parking space for each square foot of ground area occupied by other permitted use buildings; and as required by Use Permit conditions.

(i) Building Height Limit: 2 and 1/2 stories, but not to exceed thirty-five feet.

Sec. 10-3.705. Screening of Parking Spaces:

(a) Parking Spaces shall be screened by suitable wall, planting or structure.

ARTICLE 8. R-4 GENERAL APARTMENT DISTRICT REGULATIONS.

Sec. 10-3.801 The following specific regulations and the general rules set forth in Article 19 shall apply in all R-4 Districts. It is intended this district classification be applied in areas where group dwellings and apartments are the logical and desirable use.

Sec. 10-3.802 Uses Permitted:

(a) Uses permitted in the R-1, R-2, and R-3 Districts, including uses for which use permits are required in such districts, and apartments containing more than four dwelling units.

Sec. 10-3.803 Uses Requiring Use Permits:

(a) Parks, playgrounds, public and private schools, churches, and religious institutions, libraries, day care centers and public buildings.

(b) Hotels, mortuaries.

Sec. 10-3.804 Minimum Height, Bulk and Space Requirements.

(a) Lot Area:

(1) Interior Lots, 5,000 square feet.

(2) Corner Lots, 6,000 square feet.
(b) Lot Widths:
   (1) Average Width, interior lots, 50 feet.
   (2) Average Width, corner lots, 60 feet.
   (3) Minimum Street Frontage, all lots, 40 feet.
(c) Maximum Main Building Coverage: 60% of the lot area, provided that no yard encroachments shall be permitted.
(d) Front Yard: 15 feet
(e) Side Yard:
   (1) Interior side yards, 5 feet.
   (2) Street side of corner lots, 10 feet.
   (3) One foot shall be added to side yards for each story above the first story of any building.
(f) Rear Yard: 15 feet.
(g) Distance Between Main Buildings on Lot: Same as for R-3 Districts.
(h) Automobile Parking: As provided in Sec. 10-3.704h
(i) Building Height Limit: Three (3) stories, but not to exceed 40 feet.

Sec. 10-3.805 Screening of Parking Spaces
(a) Parking Spaces shall be screened by suitable wall, planting or structure.

ARTICLE 9. C-1 NEIGHBORHOOD BUSINESS DISTRICT REGULATIONS

Sec. 10-3.901 The following specific regulations and the general rules set forth in Article 19 shall apply in all C-1 Districts. It is intended that this district classification be applied on properties suitable to serve residential areas with convenience shopping and service facilities.

Sec. 10-3.902 Uses Permitted.

(a) The following retail business uses:
   (1) Food stores, dairy products and bakery goods stores.
   (2) Book Stores and rental libraries.
(3) Drug stores, including soda fountain and food service.

(4) Florists, variety, hardware, clothing stores.

(5) Other retail business uses which, in the opinion of the Planning Commission, are similar to the foregoing.

(b) The following agencies and services:

(1) Laundry and cleaning agencies, pressing shops.

(2) Barber shops and beauty parlors.

(3) Repair shops for shoes, radios and domestic appliances.

(4) Professional offices, studios and clinics.

(5) Gasoline service stations (exclusive of auto repairs) provided that all operations including the storage and display, except the servicing with gasoline, oil, air and water be conducted within an enclosed building.

(6) Self operated laundries.

(7) Other services and agencies which, in the opinion of the Planning Commission, are similar to the above, and

(c) Public buildings, public utility buildings, structures, substations and offices, communications equipment buildings, and the routes of proposed electric transmission lines shall be submitted to the Planning Commission for recommendation prior to acquisition of rights of way therefor.

(d) Commercial parking lots and parking garages.

(e) Incidental and accessory buildings and uses on the same lot with and necessary for the operation of any permitted use.

(f) Exterior advertising signs pertaining to the business or use conducted on the premises, which signs shall conform to any and all ordinances regulating signs.

Sec. 10-3.903 Minimum Height, Bulk and Space Requirements.

(a) Front Yard: 15 feet.

(b) Side Yards: None, except five feet adjacent to "R" District, and as required by Building Code or other regulations.
(c) Rear Yard: 15 feet.

(d) Automobile Parking: For uses permitted in R-4 Districts:

same as required in R-4 Districts and for all other uses, private off-street parking space equal in square footage to two times the building land coverage which parking space shall be adjacent to the building, except where an equivalent permanent space is provided as a part of a public or community parking area designed to serve a block or district and which is approved as a suitable alternate by the City Council.

(e) Loading Area: Areas shall be provided and maintained for all merchandise loading and unloading upon the site, and clear of public streets and sidewalks.

(f) Building Height Limit: One (1) story, but not to exceed thirty (30) feet.

ARTICLE 10. C-2. CENTRAL BUSINESS DISTRICT REGULATIONS.

Sec. 10-3.1001 The following specific regulations and the general rules set forth in Article 19 shall apply in all C-2 Districts. It is intended that this district classification be applied in areas suitable for complete retail business and service use to serve a residential community.

Sec. 10-3.1002 Uses Permitted:

(a) Uses permitted in "R" Districts, except that living quarters may be permitted only upon securing of a Use Permit and must be secondary to commercial uses; and C-1 uses, except gasoline service stations.

(b) Retail stores and business uses, and service enterprises which, in the opinion of the Planning Commission, are of a character similar to the following:
(1) Appliance sales and service, apparel shop, bakery (retail), bank
and trust company, barber shop, beauty parlor, bar and liquor sales, blue-
printing shop, book store, bus depot, business machines sales and repair, butcher
shop.

(2) Cafe, candy shop, cabaret, cigar store, cleaning and pressing agency,
delicatessen, department store, drug store, florist, food (retail), furniture, fur
(retail), gift, hardware (retail).

(3) Jewelry, leather goods (retail), millinery, theatre, optician and
optometrist (sales), pet shops (sales only), phonograph records and musical
instruments (repairing and sales), photography (sales and service), radio (sales
and service), shoe repairing, sporting goods, stationers, stock and bond brokers,
toy (retail), travel bureau, variety, wallpaper and paint (sales only).

c) Public utility offices, substations, communication equipment buildings,
and other structures and uses, except that above ground water or fuel storage shall
be subject to approval by the Planning Commission, and the routes of proposed
electric transmission lines shall be submitted to the Planning Commission for
recommendation prior to acquisition of rights of way therefor.

Sec. 10-3.1003 Minimum Height, Bulk and Space Requirements:

(a) Lot areas, width, coverage, front and side yards: None.

(b) Rear Yard: twelve (12) feet where adjacent to "R" Districts.

(c) Building Height Limit: Three (3) stories, but not to exceed
forty (40) feet.

(d) Automobile Parking: As provided for in Sections 10-3.102, 10-3.103,
and 10-3.106a.

ARTICLE 11. C-3 GENERAL COMMERCIAL DISTRICT REGULATIONS.

Sec. 10-3.1101 This district classification is intended to be applied where
general commercial facilities are necessary for public service and convenience.
The following specific regulations and the general rules set forth in Article 19
shall apply in all C-3 District.
Sec. 10-3.1102 Uses Permitted.

(a) Uses permitted in "R" Districts, except that living quarters may be permitted only upon the securing of a Use Permit and must be secondary to commercial uses; and "G" uses.

(b) The following and other uses which, in the opinion of the Planning Commission, are of a similar character,

1. Gasoline service stations, provided that all operations including the storage and display of merchandise except the servicing with gasoline, oil, air and water are carried on within a building.

2. Commercial repair garages, and incidental service uses.

3. Automobile sales and service, used car lots.

4. Wholesale distribution uses, warehouses.

5. Retail building supply and lumber sales where confined within building.

6. Veterinary offices and day treatment facilities.

(c) Other commercial uses except those uses which are specified in Article 12 being permitted only in CM Districts.

(d) Additional incidental storage and accessory uses including repair operations and services, provided such use shall be clearly incidental to the sale of products at retail or the providing of permitted services on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise, or vibration, traffic congestion and other undue nuisances.

Sec. 10-3.1103 Minimum Height, Bulk and space Requirements.

(a) Lot Area, Width, Coverage and Front Yard: None

(b) Side Yard: None, except as required by Building Code or other regulations.

(c) Rear Yard: Twelve (12) feet where adjacent to "R" Districts.

(d) Building Height Limit: Same as specified for C-2 Districts.

(e) Automobile Parking Space: As provided for in Sections 10-3.1802, 10-3.1803, and 10-3.1804.
ARTICLE 12. CM, COMMERCIAL-MANUFACTURING DISTRICT REGULATIONS

Sec. 10-3.1201. This district classification is intended to be applied where heavy commercial and combined commercial and light industrial uses are found to be desirable uses. The following specific regulations and the general rules set forth in Article 19 shall apply in all CM Districts.

Sec. 10-3.1202 Uses Permitted:

(a) All uses permitted in C-2 and C-3 Districts.

(b) The following and other uses which, in the opinion of the Planning Commission are of similar character, and which the Commission finds will not be obnoxious or objectionable by the creation of smoke, dust, fumes, odors, noise, vibrations, traffic congestion or other undue nuisances.

(1) Hotels, trailer courts.

(2) Auto body repair and painting shops.

(3) Tire sales, service and retreading shops.

(h) Sheet metal shops, welding shops.

(5) Heating, plumbing and electrical equipment sales, service and repair.

Sec. 10-3.1203 Minimum Height, Bulk and Space Requirements.

(a) Lot Area, Width, Coverage: None.

(b) Front and Side Yards: None, except as required by Building Code and other regulations.

(c) Rear Yard: Twelve (12) feet where adjacent to "R" Districts.

(d) Loading Area: Private off-street space for handling of all material and equipment.

(e) Building Height Limit: Three stories, but not to exceed forty (40) feet.

(f) Automobile Parking: As provided for in Sections 10-3.1802, 10-3.1803, and 10-3.1804.

ARTICLE 13. PD, PLANNED DEVELOPMENT DISTRICT REGULATIONS.

Sec. 10-3.1301 The following specific regulations and the general rules set
forth in Article 19 shall apply in all PD Districts, except that where conflict
occurs the regulations specified in this section shall apply.

Sec. 10-3.1302 "PD" Districts may be established on parcels of land which are
suitable for, and of sufficient acreage to contain a planned development for which
development plans have been submitted and approved.

Sec. 10-3.1303 All developments within the district shall be subject to the
securing of use permits, which use permits must be approved prior to construction
of any structure within the district. Application for establishment of a "PD"
District shall include the following:

(a) A map or maps prepared by a licensed Land Surveyor showing:

(1) Topography of the land, contour intervals as required by the
Planning Commission.

(2) Proposed street system and lot design.

(3) Areas proposed to be dedicated or reserved for parks, parkways,
playgrounds, school sites, public or quasi-public buildings and other such uses.

(b) Areas proposed for commercial uses, off-street parking, multiple
and single family dwellings and all other uses proposed to be established within
the district.

(5) Proposed locations of buildings on the land.

Sec. 10-3.1304 Use permit applications shall be accompanied by the following:

(a) General elevations or perspective drawings of all proposed build-
ings and structures other than single-family residences.

(b) Other data and information which may be deemed necessary by the
Planning Commission for proper consideration of the application.

Sec. 10-3.1305 Uses Permitted:

(a) All uses permitted in any other District, subject to the securing
of a use permit as specified in Section 10-3.1303

Sec. 10-3.1306 Building Height Limit: As provided in approved Use Permit.
Sec. 10-3, 1307  Building Site Area Required: As provided in approved Use Permit, but not less than otherwise required by this Ordinance, provided, however, that variations may be approved by the Planning Commission to permit conformity to topography and attractive design, and provided further that the average of such variations shall not result in a reduction of the basic Ordinance requirements.

Sec. 10-3, 1308  Front, side and rear yards and Percentage of Site Coverage:

(a) Same as required for the particular uses in the Districts in which they are otherwise permitted by this Ordinance, provided, however, that variations may be approved by the Planning Commission to permit conformity to topography and attractive design, and provided further that the average of such variations shall not result in a reduction of the basic Ordinance requirements.

Sec. 10-3, 1309  Off-Street Parking Required:

(a) Same as required for the particular uses in the districts in which they are otherwise permitted by this ordinance.

Sec. 10-3, 1310  The regulations specified in this Section may be varied when such variance will result in improved design of the development and will permit desirable arrangement of structures in relation to streets, parking areas, parks and parkways, pedestrian walks, waterways and other such features, and will not result in a total reduction of standards.

ARTICLE 11: "A". AGRICULTURAL COMBINING DISTRICT REGULATIONS.

Sec. 10-3, 1401  The following uses shall be permitted and regulations shall apply in all districts with which are combined "A" Districts in addition to the regulations hereinbefore specified, and shall be subject to the provisions of Article 19.

Sec. 10-3, 1402  Uses Permitted:

(a) All uses permitted in the respective district with which the "A" District is combined.

(b) Animal husbandry and livestock farming, provided that not more than one horse, one mule, one cow, one steer, or five sheep shall be kept for each half acre of land.
(c) Small livestock farming, provided that a use permit shall be required for the raising of more than one hundred head of either poultry or animals.

(d) Sale of agricultural products produced on the premises, provided that no commercial structure for such purpose, other than a temporary stand, shall be permitted.

Sec. 10-3. 1403 Uses Requiring Use Permits:

(a) Dog and cat kennel.

(b) Dairy

(c) Poultry and rabbit slaughter and processing.

(d) Veterinary hospital.

Sec. 10-3. 1404 Special Yards and Distances Between Buildings

(a) Barns, stables, chicken houses and similar accessory buildings shall not be less than fifty (50) feet from the front property line; not less than twenty (20) feet from any side property line; nor less than thirty (30) feet from any dwelling.

ARTICLE 15. "B" SPECIAL LOT AREA COMBINING DISTRICT REGULATIONS

Sec. 10-3. 1501 In any district with which is combined a "B" District, the following regulations shall apply as to lot areas, depths of front yards and widths of side yards; provided, however, that such application shall not be made in any case in which any of the following regulations are less than the corresponding regulations herein before specified for any district with which is combined a "B" District.

Sec. 10-3. 1502 Special Regulations.

(a) Lot Area Required: Shall be indicated by a number following the letter "B" in the district designation, which number shall represent the required area in thousands of square feet.

(b) Side Yards Required: Ten (10) percent of lot width on each side to a maximum requirement of sixteen (16) feet, but in no case less than six (6) feet
for interior side yards or ten (10) feet for side yards adjacent to streets on corner lots.

ARTICLE 16. "F", SPECIAL HIGHWAY FRON TAGE COMBINING DISTRICT REGULATIONS.

Sec. 10-3. 1601 In any district with which is combined any "F" District, the regulations of this Article shall apply in addition to those herein before specified for such district, provided that if conflict in regulations occurs, the regulations of this Article shall govern.

Sec. 10-3. 1602 Special Regulations.

(a) A front yard of not less than twenty (20) feet shall be required for all uses, unless a greater front yard distance is required in the district with which the "F" District is combined.

(b) Screen planting or fencing of permitted commercial uses of open lands shall be required as a condition to the granting of a use permit in each particular case.

ARTICLE 17. SPECIAL CIVIC DISTRICT COMBINING DISTRICT REGULATIONS.

Sec. 10-3. 1701 In any district with which the "CD" District is combined, no building permit for any proposed building or structure or for any addition or alteration to any existing building or structure, shall be issued until the Planning Commission shall have reviewed and approved the plans therefore, to insure an orderly development in the vicinity of public sites and buildings within the District.

Such districts may be created around civic centers, public buildings and grounds, public parks, and parkway streets and highways designated as such by resolution of the City Council.

ARTICLE 18. "P", SPECIAL PARKING COMBINING DISTRICT REGULATIONS.

Sec. 10-3. 1801 In any District with which is combined a "P" District, the regulations of this Article shall apply in addition to those herein before specified for such district, provided that if conflict in regulations occurs, the regulations of this Article shall govern.
Sec. 10-3.1802  Minimum Parking and Loading Area Requirements.

There shall be provided at the time of the erection of any main building or structure, or at the time any main building or structure is enlarged or increased in capacity, minimum off-street parking space with adequate provisions for ingress and egress by standard size automobiles as follows:

(a) Private Space or Garages for Dwellings: As specified for the particular district combined with the parking district.

(b) For Buildings Other Than Dwellings: For a new building or structure or for the enlargement or increase in seating capacity, floor area or guest rooms of any existing main building or structure, there shall be at least one (1) permanently maintained parking space of not less than ten by twenty feet, as follows:

(1) For churches, high schools, college and university auditoriums and other places of public assembly at least one (1) parking space for every ten (10) seats provided in said buildings.

(2) For hospitals and welfare institutions at least one (1) parking space for every two (2) beds provided in said building.

(3) For hotels, rooming or boarding houses and clubs, at least one (1) parking space for every three (3) guest rooms provided in said buildings.

(4) For theatres, auditoriums and other similar places of assembly at least one (1) parking space for every five (5) seats provided in said building.

(5) For dance halls, commercial places of amusement, assembly halls without fixed seats and exhibition halls one (1) parking space for each one hundred (100) square feet of floor area.
(6) For motels and tourist courts at least one (1) parking space for each individual sleeping or living unit.

(7) For business, commercial or industrial public utility buildings, a minimum of three parking spaces for each such building plus one (1) additional parking space for each five hundred (500) square feet or fraction thereof of gross floor area in each said building or structure excluding automobile parking space. For communication equipment buildings, one parking space for each two (2) employees on duty on maximum shift.

Sec. 10-3, 1803 Parking space as required above shall be on the same lot with main building or structure or located not more than one hundred and fifty (150) feet therefrom. To insure the perpetuation of the parking space requirement herein, the owner and/or owners of the same lot or lots with the main building, buildings, structure, or structures, and the owner and/or owners of the parking space shall execute a declaration of restrictions and covenants covering said lot or lots and parking space on forms prescribed by the City Council setting aside the required space for parking only, which restrictions and covenants may be waived only by the consent of the owners or owner of more than one-half of the said lot or lots and parking space and the consent of the City Council.

Sec. 10-3, 1804 Every hospital, institution, hotel, commercial or industrial building hereafter erected or established on a lot which abuts upon an alley or parking lot or is surrounded on all sides by streets, shall have one (1) permanently maintained loading space of not less than ten (10) feet in width, forty (40) feet in length, and fourteen (14) feet in height, for each four thousand (4,000) square feet of lot area upon which said building is located; provided, however, that not more than two (2) such spaces shall be required on any lot.

ARTICLE 19. GENERAL PROVISIONS AND EXCEPTIONS.

Sec. 10-3, 1901 The regulations specified in this Ordinance shall be subject to the following general provisions and exceptions:

Sec. 10-3, 1902 Rules Governing Use of Zoning Map and Symbols.
Where uncertainty exists as to the boundaries of any district shown on the Zoning Map, the following rules shall apply:

(a) Where boundaries are indicated as approximately following property, street or alley center lines, such lines shall be construed to be such boundaries.

(b) In unsubdivided property and where a district boundary divides a lot the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the Zoning Map.

(c) A symbol indicating the classification of property on the Zoning Map shall in each instance apply to the whole of the area within the district boundaries.

(d) Where a public street, alley or parcel of land is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to such vacated or abandoned street or alley.

(e) Where one land ownership is divided by a district boundary the total ownership may be placed in either district by approval of a variance application under the provisions of Article 21.

Sec. 10-3. 1903 Regulations are Minimum.

In interpreting and applying the provisions of this Ordinance, unless otherwise stated, they shall be held to be the minimum requirements for the promotion and protection of the public safety, health and general welfare.

Sec. 10-3. 1904 Relationship to Other Regulations and to Private Restrictions.

(a) Where conflict occurs between the regulations of this Ordinance and any Building Code or other regulations within the City, the more restrictive of any such regulations shall apply.

(b) It is not intended that this Ordinance shall interfere with or abrogate or annul any easement, covenants or other agreements now in effect, provided, however, that where this Ordinance imposes greater restrictions than are imposed or required by other ordinances, rules, or regulations, or by easements
covenants or agreements, the provisions of this Ordinance shall apply.

Sec. 10-3, 1905 Additional Uses Permitted:

The following accessory uses, in addition to those herein before mentioned shall be permitted.

(a) The operation of necessary service facilities and equipment in connection with schools, colleges, and other institutions when located on the site of the principal use.

(b) Recreation, refreshment and service buildings in public parks, playgrounds and golf courses.

(c) Off-street parking areas in conjunction with commercial uses may be permitted in "R" Districts on properties adjoining "C" or "R" District boundaries upon the securing of a use permit in each case.

Sec. 10-3, 1906 Building Sites, Areas and Easements.

(a) There may be only one building site on any lot, except that a lot having sufficient area for more than one building site may be divided in conformity with the provisions of the Subdivision Ordinance, and subject to the following:

Wherever such a division would create a lot without full frontage on a street, such lot must have square footage meeting minimum lot size requirements, and in addition shall have a way of not less than twenty (20) feet in width at any point extending to a street; the square footage of such way shall not be counted in computing the square footage of such lot.

(b) A detached garage or accessory building not exceeding one (1) story in height and without living quarters may occupy not more than fifty (50) percent of the area of a required rear yard. In exception to the provisions of this Section, a garage or similar outbuilding not exceeding fifteen (15) feet in height at the ridge may be built to the side or rear line, or both, provided that said line and provided that said garage or similar outbuilding is not less than sixty (60) feet from any street, detached garages or buildings not within the foregoing exception; and otherwise shall observe a five(5) foot clear distance for side yard and rear yard.
A garage or accessory building that is not attached to and made part of the main building shall not be closer than eight (8) feet clear distance to the main building.

(c) In case the accessory building is attached to the main building, it shall be considered a part thereof and it shall comply in all respects with the requirements of this Ordinance applicable to the main building.

(d) In case of a corner lot abutting upon two streets, no detached accessory building shall be erected, altered or moved so as to occupy any part of the front half of such lot.

(e) Limitation on Dividing Building Site Areas:

(1) No lot or parcel of land within the City of San Anselmo shall be divided into two or more parcels in any manner, either by subdividing or by transfer of title, so as to leave remaining in any part or parcel thereof a square foot building site area of less than the minimum required building site area herein set forth for the respective district or zone, and no building permit shall be issued by the Building Inspector for the erection or construction of any building or to move any building on any portion, part or parcel of such divided lot or parcel of land irrespective of the number of square feet of building site area shown upon the application for such building permit if any other portion, part or parcel of such divided lot or parcel of land contains less than the minimum required building site area for the district or zone in which situated.

(f) Yards.

(1) For the purpose of computing yard dimensions this measurement shall be taken from the nearest point of the building to the property line; provided, however, that if a future right-of-way line or a future width line is established for the street by the provisions of any applicable ordinance, then the measurement shall be taken from the nearest point of the building to such future right-of-way line or such future width line.
(2) Architectural features such as cornices, eaves and canopies may extend not more than one (1) foot into any yard as required by the provisions of this Ordinance. An uncovered porch, outside stairways or landing places may extend not more than six (6) feet into front or rear yard and two (2) feet into side yard.

(3) Whenever an official Plan Line has been established for any street as a precise section of the Master Street and Highway Plan required yards shall be measured from such line and in no case shall the provision of this Ordinance be construed as permitting any encroachment upon any official Plan Lines.

(4) Whenever set-back lines or building lines have been established for any street by ordinance, no building or structure except municipal and public utility lines shall encroach thereon.

(5) In any case where a use involves the standing of vehicles, such as at a service station or drive-in operation, the parking area width between any structure and the property line shall not be less than (13) thirteen feet, and in no case shall any portion of the vehicle extend over the property line.

(6) In case a dwelling is to be located so that the front yard or rear yard thereof faces any side lot line, such dwelling shall be located not less than ten (10) feet from such lot line. The shorter street frontage of a corner lot shall be considered the front of the lot.

(7) In the case of a corner lot adjacent to a key lot in any "R" District, the setback on the street side of the corner lot within twenty (20) feet of the side line of the key lot shall be equal to the front yard required on the key lot, and a clear five (5) foot rear yard shall be maintained on the corner lots.

(8) In "R" Districts, fences, hedges and screen planting in side and rear yards may not exceed six (6) feet in height, and may not exceed four (4) feet in front yards or street side yards.
(9) Yards required for residential buildings which may be permitted on use permit shall be as required for the particular district, or for R-4 Districts, whichever yard requirements are most restrictive.

Sec. 10-3. 1908 Building Site Area:

Each main building and its accessory buildings hereafter erected shall be located on a building site or lot in one ownership having an area and width not less than that required for the respective district which regulates said property; provided, however, that any building site, parcel of land or lot which was under one ownership at the time of the adoption of Ordinance No. 190, which owner thereof owned or has owned no adjoining land and provided that no succeeding owner has owned adjoining land, or which parcel is shown as a lot on any subdivision map which is hereafter recorded in the office of the County Recorder of the County of Marin, after approval of said map by the City Council in the manner provided by law, may be used as a building site by the owner of such parcel of land or by his successor in interest.

Sec. 10-3. 1909 Outdoor Storage or Display of Merchandise

(a) Subject to Use Permit

Sec. 10-3. 1910 Exception to Height Limitation.

(a) Height limitations provided herein shall not apply to public utility transmission and distribution lines.

ARTICLE 20. USE PERMITS

Sec. 10-3. 2001 Use Permits, which may be revocable, conditional or valid for a term period may be issued by the Planning Commission for any of the uses or purposes for which such permits are required or permitted by the terms of this Ordinance. Guarantees to insure compliance with terms and conditions imposed may be required by the Commission. A use permit shall not be valid for ten days after issuance and in case of appeal not until final action of the City Council on the appeal.
Sec. 10-3. 2002 Application and Fee.

(a) Application for a use permit shall be made to the Planning Commission in writing signed by the property owners on a form prescribed by the Commission and shall be accompanied by three sets of plans and elevations drawn to scale clearly indicating details of the proposed use or building. Such applications shall be accompanied by a fee of $30.00, no part of which shall be returnable to the applicant in cases where a public hearing is to be held.

Sec. 10-3. 2003 Public Hearings.

(a) The Planning Commission shall hold public hearings on all applications for Use Permits, in accordance with policy established by the Commission. Notice of such hearings shall be given as required by law.

Sec. 10-3. 2004 Action by the Planning Commission.

(a) The findings of the Planning Commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City; and that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.

Sec. 10-3. 2005 Revocation.

(a) In any case where the conditions to the granting of a use permit have not been, or are not being complied with, the Planning Commission shall give notice to the permittee of intention to revoke such permit by giving at least ten (10) days notice prior to a hearing thereon. Following such hearing the Planning Commission may revoke such permit.

(b) In any case where a use permit has not been used or accomplished one (1) year after the date of granting thereof, then, without further action by the Planning Commission, the use permit granted shall be null and void as though never granted.
Sec. 10-3. 2006 Appeal.

(a) Appeal from any finding of the Planning Commission may be made in writing by any person, firm or corporation in interest, to the City Council within ten (10) days from the date of the Commission's action. An appeal automatically stays any use permit or variance until final action is taken by the City Council. The City Council may, on its own motion order an appeal.

ARTICLE 21. VARIANCES.

Sec. 10-3. 2101 Where practical difficulties, unnecessary hardships or results inconsistent with the purposes and intent of this Ordinance may result from the strict application of certain area, height, yard, parking and space requirements thereof, variances in such requirement may be granted as provided in this Section.

Sec. 10-3. 2102 Application and Fees.

(a) Application for a variance shall be made in writing signed by the property owner on a form prescribed by the Planning Commission and shall be accompanied by a fee of fifteen dollars, no part of which shall be returnable to the applicant, and by statements, and three (3) sets of plans and other evidence showing:

(1) 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 other land, buildings, and/or uses in the district.

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

(3) 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.
Sec. 10-3. 2103 Public Hearing.

(a) When deemed necessary by the Planning Commission, a public hearing shall be held within sixty (60) days after filing of the application, notice of which shall be given as provided by law. A public hearing is mandatory when the applications pertain to any lot which does not meet the minimum lot size standards established by this ordinance.

Sec. 10-3. 2104 Action by the Planning Commission.

(a) Following the public hearing the Planning Commission shall have entered in the minutes the findings of facts showing whether the qualifications under Section 2102 (a) apply to the land, building or use for which the variance is sought and whether such variance shall be in harmony with the general purposes of this Ordinance. Such finding of facts shall be the basis for approval or disapproval by the Commission.

Sec. 10-3. 2105 Revocation.

(a) In any case where the conditions of granting a variance have not been complied with or are being violated, the City Council shall give notice to the permittee of intention to revoke such variance by giving ten (10) days notice prior to hearing thereon. Pending the hearing a stop work order shall be issued ordering all further work to cease and desist. After conclusion of the hearing the Council may revoke such variance.

(b) In any case where a granted variance has not been used or accomplished within one (1) year after the date of granting thereof, then, without further action by the Council the variance granted shall be null and void.

ARTICLE 22. FUTURE WIDTH LINES.

Sec. 10-3. 2201 Future width lines are hereby established as shown on any map establishing district boundaries and adopted as a part of this Ordinance.

Sec. 10-3 2202 In addition to any such future width lines thus established,
Sec. 10-3, 2502 Initiation.

(a) The petition of one or more property owners affected by the proposed amendment, which petition shall be filed with the Planning Commission and shall be accompanied by a fee of twenty-five ($25) dollars plus costs, and no part of which shall be returnable to the petitioner, or by:

(b) Action by the City Council, or by

(c) Action by the Planning Commission.

Sec. 10-3, 2503 Public Hearings.

(a) The Planning Commission shall hold public hearings as required by law on any proposed amendments, and shall give notice thereof by at least one publication in a newspaper of general circulation within the City at least ten (10) days prior to such hearings, or as otherwise provided by law.

(b) In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify property from any district to any other district, the Planning Commission may give additional notice of the time and place of such hearings and of the purpose by such method as it deems proper.

Sec. 10-3, 2504 Action by Planning Commission.

Following the aforesaid hearings, the Planning Commission shall submit a report of its findings and a summary of hearings, together with its recommendations with respect to the proposed amendment to the City Council.

Sec. 10-3, 2505 Action by City Council.

Upon receipt of such report from the Planning Commission, the City Council shall set the matter for public hearing and shall give notice thereof as provided by law.

Upon the consent of the Planning Commission, any petition for an amendment may be withdrawn upon written application of a majority of all the persons who signed such petition. The City Council may by resolution abandon any proceeding for an amendment initiated by its own action, provided that such abandonment may be made only when such proceedings are before such body, and provided that any hearing of which public notice has been given shall be held.
ARTICLE 26. ENFORCEMENT, LEGAL PROCEDURE, PENALTIES.

Sec. 10-3. 2601 All departments, officials and public employees of the City which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance and shall issue no such permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this Ordinance.

Sec. 10-3. 2602 It shall be the duty of the officers of the City herein and/or otherwise charged by law with the enforcement of ordinances of the City to enforce this Ordinance and all the provisions of the same.

Sec. 10-3. 2603 Any person, firm or corporation whether as principal, agent, employee or otherwise, violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and punishable as such, and shall be deemed to be guilty of a separate offense for each, and every day during any portion of which any violation of this Ordinance is committed, continued or permitted by such person, firm or corporation.

Sec. 10-3. 2604 Any building set up, erected, built, moved or maintained and/or any use of property contrary to the provisions of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance.

Sec. 10-3. 2605 All remedies provided for herein shall be cumulative and and not exclusive.

ARTICLE 27. REPEALING.

Sec. 10-3. 2701 Ordinance No. 399 and all amendments thereto, other than amendments rezoning specific property, are hereby repealed. Wherever conflict occurs between the provisions of this Ordinance and any other provisions of law, the more restrictive of any such provisions shall apply.

ARTICLE 28. VALIDITY.

Sec. 10-3. 2801 If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to
be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and each section, sub-section, sentence, clause and phrase thereof irrespective of the fact that one or more section, sub-section, sentence, clause or phrase be declared invalid.

This Ordinance shall be published once in full in The Ross Valley Times, a newspaper of general circulation printed, published and circulated in the City of San Anselmo and shall be in full force and effect thirty (30) days from and after final passage.
Passed and adopted by the City Council of the City of San Anselmo on the 14th day of December, 1962 by the following vote:

AYES: Councilmen: Smith, Franchini, Capurro, Reichmuth

NOES: Councilmen: none

ABSENT: Councilmen: Pucee

(Seal)

Attest:

Anita Gannon
City Clerk

John M. Reichmuth
Mayor
such future width lines, unless otherwise specified, being measured from the center line of the specified road or highway on each side thereof;

(a) Sir Francis Drake Boulevard from its junction with Red Hill Avenue West along its frontage to the Fairfax City Limits now zoned as Commercial Districts or which may hereafter be zoned Commercial Districts – forty-five (45) feet.

(b) Sir Francis Drake Boulevard on the Westerly side only thereof Northerly from its intersection with Bolinas Avenue along its frontage to the intersection of Red Hill Avenue on property formerly used as railroad right-of-way and other uses – forty-five (45) feet.

(c) The Southerly side of the Northerly portion of Red Hill Avenue Westerly from the San Rafael city limits to a point one hundred and fifty (150) feet West of the Westerly line of Sequoia Drive along its frontage zoned as Commercial Districts – forty-five (45) feet.

(d) The Northerly side of the Southerly portion of Red Hill Avenue (formerly the Northwestern Pacific Railroad right-of-way) Westerly from the San Rafael city limits to the Easterly line of Sequoia Drive along its frontage zoned as Commercial Districts – thirty (30) feet.

ARTICLE 23. NON-CONFORMING USES.

Sec. 10-3. 2301 The lawful use of land existing at the time of the passage of Ordinance No. 190 and subsequent zoning ordinances, although such use does not conform to the provisions hereof, may be continued, provided, however, that non-conforming business and industrial uses being operated on open land unimproved by any building may be continued for a period of not more than five (5) years after this Ordinance becomes effective. If any non-conforming use is, or has been abandoned, or is, or has been discontinued for a period of six (6) months or more, intentionally or unintentionally, subsequent use of said land shall be in conformity with the provisions of this Ordinance.
Sec. 10-3, 2302 No existing building designed, arranged or intended for or devoted to a use not permitted under the regulations of this Ordinance for the District in which such building or premises is located shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted under the regulations specified by this Ordinance for such District in which said building is located; provided, however, that authorized maintenance shall be permitted not exceeding a total amount, during a period of five (5) years, of fifty (50) percent of the assessed value of the building according to the assessments thereof by the Assessor of the City.

Sec. 10-3, 2303 If at any time any building in existence or maintained at the time of the adoption of this Ordinance which does not conform to the regulations for the district in which it is located shall be destroyed by fire, explosion, Act of God, or act of the public enemy to the extent of more than one-half the value thereof, then and without further action by the City Council the said building and the land on which said building was located or maintained shall from and after the date of such destruction be subject to all the regulations of the district in which such land and/or building are located. For the purposes of this Ordinance, the value of any building shall be the estimated cost of the replacement of the building in kind, as determined by the City.

Sec. 10-3, 2304 The foregoing provisions shall also apply to non-conforming uses in districts hereafter changed or established and any time limit for the suspension of a non-conforming use of land shall date from the date of the enactment of this Ordinance or any amendment of district boundaries which first created a non-conforming use or uses.

Sec. 10-3, 2305 The owner or occupant of any land or building classified as non-conforming use under provisions of this Ordinance shall, upon notification by the Planning Commission, make application for a certificate of use and occupancy and shall annually thereafter apply for renewal of such certificate.
Article 26. Applications

Any non-commercial use or building may be permitted to be en-

Sec. 10-2. 2906

ARTICLES 26. APPLICATIONS

For the purpose of extending such departmental and general rules and regulations, the Commission, by and with the advice and consent of the Council, may be amended by the Council, or the

Article 25. Amendments

with this Ordinance and other regulations,

Article 24. Use and Occupancy

A certificate of use and occupancy shall be issued when there is sufficient evidence that the premises are ready for occupancy or use, and

Sec. 10-3. 2905

Issuance

This shall be occupied or used-

Sec. 10-3. 2903

Application

shall not be applicable to public transportation and distribution

Sec. 10-3. 2902

No recent land in any district established under the proviso

Art. 25. Certifications of use and occupancy

For any article 26 are subject to this section

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