

TOWN OF SAN ANSELMO
ORDINANCE NO. 911

AN ORDINANCE AMENDING ORDINANCE NO. 485 OF THE TOWN OF SAN ANSELMO CHANGING THE ZONING DESIGNATION FOR PROPERTY GENERALLY KNOWN AS 49 CEDAR, SAN ANSELMO, FROM R-2 TO SPECIFIC PLANNED DEVELOPMENT DISTRICT - R-1 FOR ONE PORTION OF THE PROJECT SITE AND FROM R-2 TO PRELIMINARY PLANNED DEVELOPMENT DISTRICT - MEDIUM DENSITY FOR THE BALANCE OF THE PROJECT SITE

WHEREAS, an application was filed with the Town of San Anselmo requesting approval of a zone change to change the zoning designation on Lot 1 of a tentative parcel map, also filed with the Town of San Anselmo, for property generally known as 49 Cedar, San Anselmo, and identified by the Assessor of the County of Marin as Assessor Parcel Number 7-222-44, from R-2 to SPD - R-1; and

WHEREAS, an application was filed with the Town of San Anselmo requesting approval of a zone change to change the zoning designation on Lot 2 of a tentative parcel map, also filed with the Town of San Anselmo, for property generally known as 49 Cedar, San Anselmo, and identified by the Assessor of the County of Marin as Assessor Parcel Number 7-222-44, from R-2 to PPD - Multi-Unit; and

WHEREAS, the Planning Commission of the Town of San Anselmo conducted a public hearing on the proposed zone change on December 4, 1989; and

WHEREAS, the Planning Commission of the Town of San Anselmo considered information presented by the Department of Public Works and Planning, the applicant, and other interested parties at that public hearing; and

WHEREAS, during the course of that public hearing members of the community expressed concerns that the appropriate density of Lot 2 of the project site is two (2) residential units based on the community's perceptions about traffic capacity, noise generation, the site's geologic conditions, and protection of privacy; and

WHEREAS, the Planning Commission of the Town of San Anselmo recommended to the Town Council of the Town of San Anselmo approval of the proposed zone change as proposed by the applicant with a modification that the zoning designation for Lot 2 of the project site be PPD - 3 Units; and

WHEREAS, the Town Council of the Town of San Anselmo conducted a public hearing on the proposed zone change on January 23, 1990; and

WHEREAS, the Town Council of the Town of San Anselmo considered information presented by the Department of Public Works and Planning, the applicant, and other interested parties at the public hearing held on January 23, 1990; and

WHEREAS, the Town Council of the Town of San Anselmo considered but did not adopt the recommendation of the Planning Commission of the Town of San Anselmo that a maximum limitation of three units be established for Lot 2 of the project site; and

WHEREAS, during the course of that public hearing members of the community expressed concerns that the appropriate density of Lot 2 of the project site is two (2) residential units; and

WHEREAS, the Council is cognizant of the concerns expressed by the community with respect to establishing a maximum limitation of two (2) units for Lot 2 of the project site and notes that Lot 2 of the project site will require, under provisions of the Town of San Anselmo's Municipal Code in effect at the time of that public hearing, subsequent rezoning to a Specific Planned Development District and approval of a use permit, at which time the appropriate density of Lot 2 of the project site will be established based upon precise information and analyses of that information concerning the project site's precise allowable density and compliance with applicable provisions of the Town of San Anselmo's General Plan and Municipal Code in effect at that time; and

WHEREAS, subject to the development of specific factual analyses regarding the appropriate density of Lot 2 of the project site it is the opinion of the Town Council of the Town of San Anselmo that the most appropriate zoning designation for Lot 2 of the project site at this time is PPD-Medium Density.

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

Section 1. That the findings required for the approval of a Specific Planned Development District for Lot 1 of the project site have been made as follows:

(1) The parcel is of sufficient size and otherwise suitable for planned development.

Lot 1 of the project site is 11,815 square feet in size which exceeds the minimum lot size established for the R-1 District of 7,500 square feet and therefore the size of Lot 1 is sufficient to accommodate the existing single family detached residential unit. Lot 1 of the project site is within an established

residential neighborhood and is therefore suitable for the existing development.

(2) The parcel can best be developed or further be developed by a specific integrated plan approved by the Town in advance of development or further development. Lot 1 of the project site is developed with a single family detached residential unit. No further development of Lot 1 of the project site is anticipated at this time.

(3) Planned development of the parcel would promote the purposes specified in Section 10-3.1302 of this article.

Lot 1 of the project site is developed with a single family detached residential unit. The further development of Lot 1 of the project site, because of its sensitive hillside setting and unique access features can best be guided through the latitudes provided for by the planned development district process.

Section 2. That the findings required for the approval of a Preliminary Planned Development District for Lot 2 of the project site have been made as follows:

(1) The parcel is of sufficient size and otherwise suitable for planned development.

Lot 2 of the project site is 12,000 square feet in size and is of sufficient size to accommodate the presumed density of 1.65 to 3.31 residential units. Lot 2 of the project site is within an established residential neighborhood and is therefore suitable for the presumed development.

(2) The parcel can best be developed or further be developed by a specific integrated plan approved by the Town in advance of development or further development.

The development of Lot 2 of the project site, due to the Lot's existing topographic constraints and setting within an established residential neighborhood can best be developed by the development of a specific integrated plan which considers various factors to establish the precise allowable density of the Lot prior to the granting of approvals for a specific development.

(3) Planned development of the parcel would promote the purposes specified in Section 10-3.1302 of this article.

The planned development of Lot 2 of the project site would promote the purposes specified in Section 10-3.1302.

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

Section 1. Ordinance No. 485 is hereby amended by changing the zoning district designation from R-2 to SPD - R-1 for an eleven thousand eight hundred fifteen (11,815) square foot portion of the lot generally known as 49 Cedar and identified by the Assessor of the County of Marin as Assessor Parcel Number 7-222-44, and also known as Lot 1 of the tentative parcel map filed for the property and conditionally approved by the Planning Commission of the Town of San Anselmo on December 4, 1989.

Section 2. Ordinance No. 485 is hereby amended by changing the zoning district designation from R-2 to PPD - Medium Density for a twelve thousand (12,000) square foot portion of the lot generally known as 49 Cedar and identified by the Assessor of the County of Marin as Assessor Parcel Number 7-222-44, and also known as Lot 2 of the tentative parcel map filed for the property and conditionally approved by the Planning Commission of the Town of San Anselmo on December 4, 1989.

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo at a regularly scheduled meeting on March 13, 1990, by the following role call vote:

AYES:

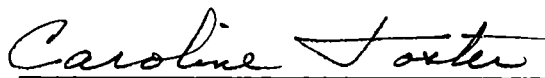
NOES:

ABSENT:



ANN WALSH, MAYOR

ATTEST:



TOWN CLERK