TOWN OF SAN ANSELMO
ORDINANCE NO. 917

AN URGENCY ORDINANCE OF THE TOWN OF SAN ANSELMO
ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
FOR AMENDING CHAPTER 3 OF TITLE 10, ARTICLES 1 THROUGH 26, OF
THE ZONING ORDINANCE, AND SAID AMENDMENTS TO THE ZONING
ORDINANCE, ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF
SAN ANSELMO, ON FEBRUARY 26, 1991, CONSISTENT WITH THE
GENERAL PLAN OF THE TOWN OF SAN ANSELMO

Section I.

WHEREAS, the Town Council of the Town of San Anselmo adopted a revised
General Plan on December 13, 1988; and

WHEREAS, the General Plan contained provisions inconsistent with the existing
Zoning Ordinance and regulations of the Town of San Anselmo; and

WHEREAS, Section 65860 of the California Government Code requires that Zoning
Ordinances be consistent with General Plans; and

WHEREAS, the Town Council of the Town of San Anselmo held duly noticed public
hearings on January 29, February 5, February 12, February 19, and February 26, 1991
to consider a Negative Declaration; and

WHEREAS, the Town Council finds that, based on the Initial Study dated
November 5, 1990, the proposed amendments to the Zoning Ordinance will not have
a significant impact on the environment and moved to approved the Negative
Declaration of Environmental Impact; and

WHEREAS, the Town Council held duly noticed and continued public hearings on
January 29, February 5, February 12, February 19, and February 26, 1991 to consider
the Planning Commission recommended amendments to the Zoning Ordinance
dated January 28, 1991; and

WHEREAS, the Town Council finds that the content of the Zoning Ordinance
revisions is consistent with the General Plan.

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

The Town Council of the Town of San Anselmo hereby determines:

(a) Current Findings:

There is an urgent need to revise the Zoning Ordinance and regulations to
achieve consistency with the General Plan. A comprehensive review of the Zoning
Ordinance and regulations has been completed to achieve the required consistency.

Immediate preservation of the public peace and safety requires that this
ordinance be adopted and take effect prior to the expiration of the current Interim
Ordinance No. 913 set to expire on March 8, 1991 in order to prevent development projects which would be inconsistent with the zoning amendments provided for in this ordinance.

(b) Purpose:

The purpose of this Ordinance is to refine and further define the Town's General Plan goals, objectives, policies, standards, and maps as related to the preservation, enhancement, and development of the Town.

(c) Scope:

The Zoning Ordinance establishes uses of the land which are permitted and conditionally permitted based upon provisions of the General Plan and applicable provisions of federal and state laws and codes related to the regulation of land uses. The Zoning Ordinance establishes development standards deemed the minimum necessary to promote and protect the public health, safety, and general welfare of the Town. The Zoning Ordinance applies to all private, public, quasi-public, institutional, and public utility properties and all lands, buildings, structures, and improvements within the corporate limits of the Town. All uses of the land contrary to the provisions of the Zoning Ordinance shall be unlawful.

(d) Exhibits

Exhibits to the Urgency Ordinance include:

1. Exhibit 'A' 1991 Zoning Ordinance Revision; and
2. Exhibit 'B' Deletions from Chapter 3, Title 10, portions of Articles 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 24.

SECTION II.

This ordinance shall take effect immediately upon adoption.

Adopted by the Town Council of the Town of San Anselmo this 26th day of February, 1991, by the following vote:

AYES: Colteaux, Kanis, Zaharoff, Chignell

NOES: (None)

ABSENT: Walsh

Paul Chignell
MAYOR

Attest:

Caroline Foster
Town Clerk
TOWN OF SAN ANSELMO

ZONING ORDINANCE REVISIONS

Effective February 26, 1991

TOWN COUNCIL
Paul Chignell, Mayor
Maria Zaharoff, Vice Mayor
John Colteaux
Gus Kanis
Ann Walsh

PLANNING COMMISSION
Jo Julin, Chairperson
Jeff Kroot, Vice Chair
Oliver Harle
Stan Hayes
Marc Mihaly
Spencer Sias
Tim Yarish

PREPARED BY:
Lisa Wight, Interim Planning Director
John Kottage, Public Works Director
Barbara Chambers, Administrative Services Assistant II
ARTICLE I. ADOPTION OF ZONING ORDINANCE

Sec. 10-3.101. Adoption of Ordinance.

There is hereby adopted a Zoning Ordinance for the Town of San Anselmo based upon the adopted General Plan. The Zoning Ordinance is hereby codified as Chapter 3 of Title 10 of the San Anselmo Municipal Code. The terms "Chapter 3 of Title 10 of the San Anselmo Municipal Code" and "Zoning Ordinance" may be used interchangeably.

Sec. 10-3.102. Purpose and Intent.

The purpose of the Zoning Ordinance is to refine and further define the Town's General Plan goals, objectives, policies, standards, and maps as related to the preservation, enhancement, and development of the Town. The Zoning Ordinance establishes uses of the land which are permitted and conditionally permitted based upon provisions of the General Plan and applicable provisions of Federal and State laws and codes related to the regulation of land uses. The Zoning Ordinance establishes development standards deemed the minimum necessary to promote and protect the public health, safety, and general welfare of the Town.

Sec. 10-3.103. Conflicts between the General Plan and Zoning Ordinance.

Where conflicts between the General Plan and Zoning Ordinance occur, the provisions of the General Plan, as defined by its goals, objectives, policies, standards, and maps, shall prevail.

Sec. 10-3.104. Conflicts Within the Zoning Ordinance.

Where conflicts between general and specific provisions of the Zoning Ordinance occur, the most restrictive provision shall prevail.

Sec. 10-3.105. Applicability of the Ordinance.

The Zoning Ordinance applies to all private, public, quasi-public, institutional, and public utility properties and all lands, buildings, structures, and improvements within the corporate limits of the Town. All uses of the land contrary to the provisions of the Zoning Ordinance shall be unlawful.
ARTICLE 2. DESIGNATION AND ESTABLISHMENT OF DISTRICTS

Sec. 10-3.201. Purpose and Intent.

The Town is hereby divided into Zoning Districts based upon the intent of the General Plan, as follows:

(a) R-1-H Very Low Density Residential District.

This District is reflected on the General Plan Land Use Map as "Very Low Density Residential", which allows a maximum density of 1 residential unit for each gross acre of land, with a maximum population density of 4 persons for each acre of land. This District is generally applied to the primary ridges and ridge zone land areas of the Town as identified by the General Plan Land Use and Open Space Elements. The purpose of this District is to preserve and maintain the natural land forms and vegetation of the Town's primary ridges and ridge zone areas by limiting development as defined by the Town's General Plan, to further the Town's open space objectives as described in the General Plan, and to recognize and work in concert with the environmental opportunities and constraints of these unique and sensitive areas. The General Plan accomplishes these goals by limiting development to a maximum density of one residential unit per acre and by providing for a thorough and tiered review and approval process for new development on undeveloped land, for certain reconstruction of existing development, and for certain expansions of existing development. The maximum number of dwelling units allowed on each parcel in the R-1 H District shall not exceed the number of dwelling units designated for each parcel listed in the official "Table of R-1 H (Hillside Density District) Parcels", referred to as Table 4D.

(b) R-1-C Single Family Residential - Conservation District.

This District is reflected on the General Plan Land Use Map as "Low Density Residential - Conservation", which allows a maximum density of 1 residential unit for each gross acre of land, with a maximum population density of 4 persons for each gross acre of land. This District is generally applied to those developed and undeveloped lots ranging from one (1) to two (2) acres in size and located at or above 150 feet above Mean Sea Level and excepting those areas designated as "Very Low Density Residential" by the General Plan Land Use Element. The purpose of this District is to a) require design review for most exterior improvements; b) limit the overall density within the district to a maximum of one (1) residential dwelling unit per acre of land; and c) maintain and enhance the natural land forms and vegetation of the Town's secondary ridgelines and hillside areas by limiting development density and through the careful review of architectural design and site development characteristics for new development on undeveloped land, for certain reconstruction of existing development, and for certain expansions of existing development.

(c) R-1 Single Family Residential District.

This District is reflected on the General Plan Land Use Map as "Single Family Residential", which allows a density range of between 1 and 6 residential units for each acre of land, with a maximum population density of 18 persons for each gross acre of land. This District is generally applied to established residential neighborhoods characterized by single family detached residential units on conventional lots. The majority of the land area in this District has previously been developed. Additionally, this District is applied to lots located at or above 150 feet above Mean Sea Level which are further regulated through the requirement for the careful review of architectural design and site development characteristics for new development on undeveloped land, for certain reconstruction of existing development, and for certain expansions of existing development.
(d) **R-2** Medium Density Residential District.

This District is reflected on the General Plan Land Use Map as "Medium Density Residential", which allows a density range of between 6 and 12 residential units for each acre of land, with a maximum population density of 28 persons for each gross acre of land. This District is generally applied to lands adjacent to Sir Francis Drake Boulevard and to land areas abutting or facing commercial land uses. Lots within the District will be developed with either duplex or triplex style development, although single family detached residential units will also be permitted.

(e) **R-3** High Density Residential District.

This District is reflected on the General Plan Land Use Map as "High Density Residential", which allows a density range of between 13 and 20 residential units for each acre of land, with a maximum population density of 42 persons for each gross acre of land. This District is generally applied to lands near commercial areas. Lots within the District will be developed with either apartment or condominium style development which reflects a compatibility with the Town's predominantly residential lower density character.

(f) **R-HO** Residential Housing Opportunities District

This District is not specifically reflected on the General Plan Land Use Map but is intended to serve as an "overlay" District to the R-2 and R-3 Districts within the Downtown Mixed designation on the General Plan Land Use Map. The District's purpose is to provide opportunities for residential densities greater than that provided for in the R-2 and R-3 Districts, which will allow a density range of 13 - 20 units per acre on R-2 properties and a density range of 21 - 28 units per acre on R-3 properties, subject to the following provision: A minimum of forty percent (40%) of the total units permitted must be available for a rental or sale price affordable to lower income households.

(g) **P** Professional District

This District is reflected on the General Plan Land Use Map as "Professional". This District is generally applied to a few land areas in the vicinity of the Town's commercial area which serve as buffers or transitions between the more intense commercial development and adjoining residential development. The types of professional uses anticipated in the District are those considered compatible with residential and commercial development and which do not result in the generation of traffic, noise, or other detriments to adjacent residential development.

(h) **C-1** Neighborhood Commercial District

This District is reflected on the General Plan Land Use Map as "Neighborhood Commercial", which allows a maximum Floor Area Ratio of 0.65. This District is generally applied to several existing small commercial areas located within established residential neighborhoods. The purpose of this District is to identify those land areas which have existing commercial development providing limited commercial opportunities to adjacent residential neighborhoods. The types of commercial uses permitted within this District are those which have a market area limited to adjoining residential neighborhoods and which do not result in the generation of traffic, illumination, noise, odors, or other impacts greater than if the District were restricted to residential uses. Examples of the types of uses anticipated within the District are small grocery and drug stores and service businesses such as dry cleaners and laundromats.
C-2 Downtown Commercial District

This District is reflected on the General Plan Land Use Map as "Central Commercial", which allows a maximum Floor Area Ratio of 2.0. This District is generally applied to existing commercial areas along San Anselmo Avenue and Sir Francis Drake Boulevard between The Hub and Ross Avenue. The purpose of this District is to identify those areas which form the Town's central business district. Two types of business are expected in this District. The primary uses expected are businesses referred to as "primary attractors", which are those which draw the majority of their customers from outside the community. Examples of these types of businesses are specialty boutiques, antique stores, restaurants, and cafes. The second type of businesses expected in the District are those which rely upon pedestrian movements generated by the primary attractors. Examples of these include small specialty shops, small food outlets (ice cream and coffee), and personal services such as barber and beauty shops. Mixed uses, combining commercial, office, and residential uses are also allowed within the District; however, offices and residential uses are encouraged to locate above the ground floor to preserve the District's primary purpose of providing for commercial activities.

C-L Limited Commercial District

This District is reflected on the General Plan Land Use Map as "Limited Commercial", which allows a maximum Floor Area Ratio of 1.0. This District is generally applied to properties lining both sides of Sir Francis Drake Boulevard, west of The Hub, for approximately 1/4 of a mile, ending at Bella Vista Avenue. The Land Use category was developed as part of the 1988 General Plan to allow only those commercial uses which will not result in the generation of traffic in volumes sufficient to disrupt the flow of vehicular traffic along Sir Francis Drake Boulevard. Examples of the types of uses allowed within the District are furniture and antique shops, specialty boutiques, book stores, art galleries, and personal services such as barber and beauty shops. Examples of some of the uses specifically prohibited within the District are restaurants, both sit down and fast food, and convenience grocery stores.

C-3 General Commercial District

This District is reflected on the General Plan Land Use Map as "General Commercial", which allows a maximum Floor Area Ratio of 1.0. This District is generally applied to those areas along Redhill Avenue, Sir Francis Drake Boulevard, and the eastern end of San Anselmo Avenue. The purpose of this District is to identify those areas of Town which will afford opportunities for various commercial activities to serve the needs of the community as well as the needs of surrounding communities. Many of the areas within the District include existing development, or have development potential, to provide for commercial uses which require significantly larger buildings than afforded in the Central Commercial District, such as full-service grocery and drug stores, major furniture and appliance stores, and shopping centers.

PF Public Facilities District

This District is reflected on the General Plan Land Use Map as "Public Facility". This District is generally applied to all existing major public land uses, including Town Hall, the Public Library, the Ross Valley Fire Department, public parking lots, and schools.
PPD Preliminary Planned Development District

The Preliminary Planned Development District is not specifically reflected on the General Plan Land Use Map but is intended to serve as an "overlay" District to all land areas within the Town. The purpose of the District is to provide opportunities to allow development on land areas within the Town which because of size, hillside location, unusual topography, natural resources, or aesthetic appeal cannot be developed through adherence to rigid development standards. The characteristics of these land areas require a flexible approach to provide logical and orderly development while promoting and protecting the public's health, safety, and general welfare. A PPD District is a designation established upon property which may only be developed pursuant to a Town approved specific plan.

SPD Specific Planned Development District.

The Specific Planned Development District is not specifically reflected on the General Plan Land Use Map but is intended to serve as an "overlay" District to all land areas within the Town. The purpose of the District is to provide opportunities to allow development on land areas within the Town which because of size, hillside location, unusual topography, natural resources, or aesthetic appeal cannot be developed through adherence to rigid development standards. The characteristics of these land areas require a flexible approach to provide logical and orderly development while promoting and protecting the public's health, safety, and general welfare. An SPD District refers to a specific plan development approved by the Town.

Sec. 10-3.202. Zoning Map

The Districts and their provisions apply to all private, public, quasi-public, institutional, and public utility properties and all lands, buildings, structures, and improvements within the corporate limits of the Town as delineated on the "Zoning Map of the Town of San Anselmo". The terms "Zoning Map of the Town of San Anselmo" and "Zoning Map" may be used interchangeably.

Sec. 10-3.203. Zoning Map Adopted

The "Zoning Map of the Town of San Anselmo", and all amendments to that map, is hereby adopted by reference and made a part of this Chapter.

Sec. 10-3.204 Uncertainty of District Boundaries

Where uncertainty exists as to the precise boundaries of any of the Districts shown on the Zoning Map, the following rules shall apply to all Districts:

(a) Where boundaries are delineated as approximately following streets, alleys, or access easement lines, the center lines of the streets, alleys, or access easements shall be construed to be the actual boundaries of the Districts.

(b) Where boundaries are delineated as approximately following lot lines, the lot lines shall be construed to be the actual boundaries of the Districts.

(c) Where boundaries are delineated to divide unsubdivided property, the location of the boundary, unless the boundary is indicated by dimensions shown on the Zoning Map, shall be determined by measuring the location of the boundary using the graphic scale appearing on the map.

(d) In the event that further uncertainty exists as to the precise location of a District boundary, the owner of record of the property may file an application for a Zoning Ordinance Amendment, as set forth in
Section 10-3.703 of the San Anselmo Municipal Code, for the purpose of establishing the precise location of the Zoning District boundary.
LAND USE REGULATIONS TABLE

**TABLE 3A**

"P" = Permitted Use  
"C" = Conditionally Permitted Use  
"." = Not Permitted

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<thead>
<tr>
<th>LAND USES</th>
<th>DISTRICT</th>
<th>R-1-H</th>
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**LAND USE REGULATIONS TABLE**

**TABLE 3A (CONTINUED)**

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<th>DISTRICT</th>
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**LAND USE REGULATIONS TABLE**

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"." = Not Permitted

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LAND USE REGULATIONS TABLE

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II
ARTICLE 3.                    LAND USE REGULATIONS

Sec. 10-3.301.                Scope of Article Provisions

This Article establishes permitted and conditionally permitted uses, and uses not permitted on lands for all Districts, based upon the General Plan and applicable provisions of Federal and State codes and regulations related to land use.

Sec. 10-3.302.                Land Use Regulations Table

The Land Use Regulations Table, referred to as Table 3A, lists uses of the land and indicates whether or not each use is permitted (P), conditionally permitted (C), or not permitted (−) in each Zoning District. Uses not specifically listed in the Land Use Regulations Table are specifically prohibited unless a Use Determination by the Planning Director is made which finds the use not specifically listed is similar to another use permitted or conditionally permitted within the District.

The Residential Housing Opportunities (R-HO), Public Facilities (PF), Preliminary Planned Development (PPD), and Specific Planned Development (SPD) Districts are not included on the Land Use Regulations Matrix. The R-HO, PPD, and SPD Districts are overlay Districts and generally allow for either higher residential densities or unique or special mixing of uses on one site. The R-HO District is not yet designated on the zoning map and, therefore, is not currently regulated. The PPD and SPD Districts are regulated by Section 10-3.704 of the San Anselmo Municipal Code, respectively. The PF District does not include any lands not currently developed with major public facilities. Any expansion of the PF District would be preceded by the Town’s acquisition of the land for a specific use or purpose, a General Plan Amendment, and a Zone Change.

Sec. 10-3.303.                Additional Uses Permitted

The following accessory uses, in addition to those listed in the Land Use Regulations Table, shall be permitted:

(a) The operation of necessary service facilities and equipment in connection with schools, colleges, and other institutions when located on the lot of the primary 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 the "R" Districts on properties adjoining "C" Districts upon the securing of a use permit in accordance with the Section 10-3.708 of the San Anselmo Municipal Code.
**LAND USE REGULATIONS TABLE**

**TABLE 3A (CONTINUED)**

"P" = Permitted Use  
"C" = Conditionally Permitted Use  
"." = Not Permitted

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LAND USE REGULATIONS TABLE

TABLE 3A (CONTINUED)

"P" = Permitted Use
"C" = Conditionally Permitted Use
"-" = Not Permitted

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</table>

Notes on Following Page
LAND USE REGULATIONS TABLE

TABLE 3A (CONTINUED)

Notes:

(1) In addition to the findings required for the approval of a use permit as set forth in Section 10-3.708(6)(a) of the San Anselmo Municipal Code, an additional finding must also be made as set forth in Section 10-3.708(6)(c) of the San Anselmo Municipal Code.

(2) Off-sale alcohol shall not be permitted on the same premises as a gasoline service station.

(3) All operations of either a full service or self-service gasoline station, including storage, excepting servicing with gasoline, oil, air, and water, shall be conducted within a closed building.

(4) In addition to the findings required for the approval of a use permit as set forth in Section 10-3.708(6)(a) of the San Anselmo Municipal Code, an additional finding must also be made as set forth in Section 10-3.708(6)(b) of the San Anselmo Municipal Code.

(5) All professional uses which propose to provide services before 8:00 AM and after 6:00 PM are subject to the granting of a conditional use permit as set forth in Section 10-3.708 of the San Anselmo Municipal Code.

(6) In addition to the findings required for the approval of a use permit as set forth in Section 10-3.708(6)(a) of the San Anselmo Municipal Code, an additional finding must also be made as set forth in Section 10-4.708(6)(d) of the San Anselmo Municipal Code.
ARTICLE 4. DEVELOPMENT STANDARDS

Sec. 10-3.401. Purpose and Intent

This Article establishes the development standards deemed the minimum necessary to promote and protect the public health, safety, and general welfare of the Town.

Sec. 10-3.402. Development Standards Table

The Development Standards Table, referred to as Table 4A, lists the minimum development standards for each Zoning District. Deviations from development standards set forth in the Development Standards Table, referred to as Table 4A, may only be permitted by 1) an Exception; or 2) an Administrative Variance, both of which are listed on the Minor Intrusions into Required Development Standards For Residential Properties Table, referred to as Table 4B; or 3) a Variance by the Planning Commission as set forth in Section 10-3.709(4)(b) of the San Anselmo Municipal Code.

The Residential Housing Opportunities (R-HO), Public Facilities (PF), Preliminary Planned Development (PPD), and Specific Planned Development (SPD) Districts are not included on Table 4A. The R-HO District is an overlay district and utilizes development standards for the underlying District. The PPD and SPD Districts are overlay districts and allow for the establishment of development standards suitable to a specific use or project site. The PF District does not include any development standards but allows for the use of development standards appropriate to the specific use or project site as determined by the Planning Commission or the Town Council.

Sec. 10-3.403. Setback Measurement

All setback measurements shall be made as follows:

(a) The setback measurement shall be taken from the nearest point of any building, architectural feature, or improvement to the nearest point of any property line; or

(b) If a future right-of-way line or a future width line has been established for a street by provisions of any applicable ordinance, the measurement shall be taken from the nearest point of any building, architectural feature, or improvement to the nearest point of the future right-of-way line or nearest point of the future width line.

Sec. 10-3.404. Height Measurement

All height measurements shall be made as follows:

(a) The height of a building, structure, or improvement shall be that vertical distance measured from the average level of the highest and lowest point of that portion of the lot ground surface covered by the building, structure, or improvement, to the highest point on the roof, ridge, or parapet wall.

Sec. 10-3.405. Minor Intrusions Into Required Development Standards for Residential Properties Table

The Minor Intrusions Into Required Development Standards for Residential Properties Table, referred to as Table 4B, lists: a) Exceptions, which require no discretionary action by the Planning Director nor Planning Commission; and b) Administrative Variances, which require discretionary action by the Planning Director.
Sec. 10-3.406. Setback and Height Exceptions

The purpose and intent of allowing exceptions to the development standards is to permit minor intrusions into required setback areas. If, in the judgment of the Planning Director, the structure is not a minor intrusion due to its size and location, the Planning Director shall require that the structure either adhere to the standards listed in the Development Standards Table, referred to as Table 4A, or obtain a variance from the Planning Commission, as set forth in Section 10-3.709(4)(b) of the San Anselmo Municipal Code.

Sec. 10-3-407. Lots

(a) There may be only one (1) building site on any lot. Each lot may be permitted to have constructed accessory buildings as may be regulated by provisions of the San Anselmo Municipal Code. Lots having sufficient area for more than one building site may be divided in conformance with the Subdivision Ordinance, the Development Standards Table, referred to as Table 4A, and subject to the following:

(1) Whenever a division would create a lot without full street frontage, the lot shall have an area no less than the minimum lot area required within the District as set forth in the Development Standards Table, referred to as Table 4A; and

(2) Each lot not having full street frontage shall have a permanent access way not less than twenty feet (20'-0") in width at any point extending to a street; and

(3) The area of the lot shall not include that area devoted to a permanent access way.

(b) Each lot shall have direct access to a public street and shall not obtain access by easement or fee title across an adjacent lot except by the approval of a variance in accordance with Section 10-3.709(4)(b) of the San Anselmo Municipal Code.

(c) No lot shall be divided into two (2) or more parcels in any manner, so as to produce a remaining lot having an area less than the minimum lot area required within the District as set forth in the Development Standards Table, referred to as Table 4A.

Sec. 10-3.408. Building Site Areas

Each primary building and all accessory buildings erected shall be located on a building site or lot in one ownership having an area and width no less than the minimum required for the respective District, excepting:

That any lot or building site having less than the required minimum area and/or width may be used for the construction or erection of a primary building and accessory buildings as may be permitted or conditionally permitted by the District, if:

(a) All other requirements of this Chapter are complied with; and

(b) The lot was under one ownership at the time of adoption of Ordinance No. 190.

(c) The lot was legally subdivided after the adoption of the Town's first Zoning Ordinance (Ordinance No. 190, effective June 7, 1926), but prior to the adoption of an applicable Subdivision Ordinance in accordance with the area, width, and frontage requirements of the Zoning Ordinance in effect at the time of the subdivision; or

(d) The lot was subdivided pursuant to the Town's first Subdivision Ordinance (Ordinance No. 248, effective September 9, 1937) or pursuant to a subsequent Subdivision Ordinance.
Sec. 10-3.409. Slope Density/Lot Area Table

The Slope Density/Lot Area Table, referred to as Table 4C, lists the minimum lot size for the R-1 District for lots which have average slopes of 15% or greater. All calculation of minimum lot areas for lots subject to Table 4A shall not benefit from arithmetic rounding-up.

Sec. 10-3.410. Table of R-1 H (Hillside Density District) Parcels

The Table of R-1 H (Hillside Density District) Parcels, referred to as Table 4D, lists the maximum allowable number of dwelling units for the corresponding parcels of land for properties with an R-1 H zoning designation.

Sec. 10-3.411. Table of Maximum Sizes of Dwellings on Residential Properties Located Above 150 Mean Sea Level Elevation

The Table of Maximum Sizes of Dwellings on Properties Located Above 150 Mean Sea Level Elevation, referred to as Table 4E, lists the maximum sizes of dwellings on residential properties located above 150 mean sea level elevation.
## DEVELOPMENT STANDARDS TABLE

### TABLE 4A

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<td>Lot Width, Minimum Average</td>
<td>(2)60'</td>
<td>60'</td>
<td>60'</td>
<td>60'</td>
<td>75'</td>
<td>45'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Lot Width, Minimum Street Frontage</td>
<td>(2)40'</td>
<td>40'</td>
<td>40'</td>
<td>40'</td>
<td>50'</td>
<td>45'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Lot Coverage, Maximum</td>
<td>(9)</td>
<td>(9)</td>
<td>(9)35%</td>
<td>35%</td>
<td>50%</td>
<td>50%</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Setback, Minimum Front (10)</td>
<td>(2)20'</td>
<td>(2)20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Setback, Minimum Rear (10)</td>
<td>(2)20'</td>
<td>(2)20'</td>
<td>20'</td>
<td>20'</td>
<td>20'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Adjacent to &quot;R&quot; Districts</td>
<td>20'</td>
<td>12'</td>
<td>12'</td>
<td>12'</td>
<td>12'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Adjacent to &quot;P&quot; Districts</td>
<td>12'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Adjacent to &quot;C&quot; Districts</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Setback, Side (10)</td>
<td>(2)8'</td>
<td>(2)8'</td>
<td>8'</td>
<td>8'</td>
<td>8'</td>
<td>-</td>
<td>-</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Minimum Interior Side</td>
<td>(2)12'</td>
<td>(2)12'</td>
<td>12'</td>
<td>12'</td>
<td>12'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Minimum Street Side</td>
<td>5'</td>
<td>8'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Minimum Adjacent to &quot;R&quot; Districts</td>
<td>5'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Minimum Adjacent to &quot;P&quot; Districts</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
<tr>
<td>Minimum Adjacent to &quot;C&quot; Districts</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
</tr>
</tbody>
</table>
## DEVELOPMENT STANDARDS TABLE

### TABLE 4A

(Continued)

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>R-1-H</th>
<th>R-1-C</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>P</th>
<th>C-1</th>
<th>C-2</th>
<th>C-L</th>
<th>C-3</th>
</tr>
</thead>
</table>

### DEVELOPMENT STANDARD

<table>
<thead>
<tr>
<th>Maximum Stories&lt;sup&gt;(10)&lt;/sup&gt;</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
<th>2</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Building Height&lt;sup&gt;(10)&lt;/sup&gt;</th>
<th>Outside Primary and Secondary Ridgezone: Maximum Feet</th>
<th>(2)(11)</th>
<th>(2)(11)</th>
<th>(11)(12)</th>
<th>(12)(13)</th>
<th>(12)(13)</th>
<th>(13)</th>
<th>(13)</th>
<th>30'</th>
<th>30'</th>
<th>30'</th>
<th>30'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within Primary and Secondary Ridgezone: Maximum Feet</td>
<td>(2)(11)</td>
<td>(11)(12)</td>
<td>(11)(12)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Above Ground Surface</td>
<td>(12)(30')</td>
<td>30'</td>
<td>30'</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Within Primary and Secondary Ridgezone: Maximum Feet</td>
<td>(2)(11)</td>
<td>(11)(12)</td>
<td>(11)(12)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Above Ridgeline</td>
<td>(12)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

| Floor Area Ratio, Maximum | (9) | (9) | (9) | - | - | - | 0.65 | 2.0 | 1.0 | 1.0 |
| Fence Height<sup>(10)(14)</sup> | 6' | 6' | 6' | 6' | 6' | 6' | 6' | 6' | 6' | 6' |

---

Notes on Following Pages
DEVELOPMENT STANDARDS TABLE

TABLE 4A
(Continued)

Notes

(1) Within a subdivision, single family detached homes may be located on lots smaller than one acre, provided that said location of single family detached homes attains the desired open space objectives or reduces the visual impact of the proposed development, and providing the overall subdivision density does not exceed the maximum gross density allowed by the designated land use.

(2) Exceptions to these standards for the R-1 H and R-1 C zoning districts may be allowed or required by the Planning Commission when such exceptions would result in a more desirable development and are warranted based on information developed through the review process and the exceptions are consistent with the goals, policies, and objectives of the San Anselmo General Plan.

(3) The minimum lot area for R-1 lots shall also be regulated by the Slope Density Table, referred to as Table 4C. No allowance for rounding up shall be granted for the last lot in a subdivision which only partially meets the minimum lot area requirements.

(4) The minimum lot area for all newly created R-2, R-3, and P lots shall be as described in this table. No allowance for rounding up shall be granted for the last lot in a subdivision, which only partially meets the lot area requirement.

(5) All new construction requires the approval of a Precise Development Plan and Design Review in accordance with the provisions of Sections 10-3.706 and 10-3.710 of the San Anselmo Municipal Code.

(6) All new dwellings and all additions (which include deck and stairway structures, except those located on the uphill side of the dwelling) greater than five hundred (500) square feet in size require the approval of Design Review in accordance with the provisions of Section 10-3.710 of the San Anselmo Municipal Code. Additions constructed after February 26, 1991, will be looked at cumulatively, henceforth, so that when the 500 square foot limit is triggered by the sum of all said additions, design review will be required.

(7) All new dwellings and all additions (which include deck and stairway structures except those located on the uphill side of the dwelling) greater than five hundred (500) square feet in size on lots located at or above 150 mean sea level require the approval of Design Review in accordance with the provisions of Section 10-3.710 of the San Anselmo Municipal Code. Additions constructed after February 26, 1991 will be looked at cumulatively, henceforth, so that when the 500 square foot limit is triggered by the sum of all said additions, design review will be required.

(8) All new construction of multiple family residential units of four (4) or more, churches, convalescent homes, commercial buildings, and professional offices require the approval of design review in accordance with the provisions of Section 10-3.710 of the San Anselmo Municipal Code.
DEVELOPMENT STANDARDS TABLE

TABLE 4A
(Continued)

(9) The maximum size of R-1-H, R-1-C, and R-1 structures located above 150 foot mean sea level shall be as described in Table 4E. The maximum house size shall be further limited by the requirement to meet all applicable design review findings. Should there be no other option but to allow development on a visible hillside or ridge, the Town may further limit the size of development, i.e., square footage allowed within any structure, should it be determined that such a limitation would reduce the visual impact of a development.

(10) Except as otherwise provided by exceptions listed in the Minor Intrusions Into Required Residential Development Standards Table, referred to as Table 4B. Setback and height limitations shall not apply to public utility transmission and distribution lines.

(11) The ground surface shall be either the predevelopment ground elevations at the appropriate points or the finished grade elevations at the appropriate points. The finished grade elevations may be used only if they are approved by specific action of the Planning Commission.

In approving the finished grade elevation as the governing ground surface, the Planning Commission shall make all of the following findings:

(a) That use of the finished grade elevation in lieu of the predevelopment ground surface will produce results consistent with the intention to minimize visual impact on the ridge zone;

(b) That use of the finished grade will benefit the public welfare and other properties in the area;

(c) That use of the finished grade will not result in any substantial obstruction of visible ridgeline or view from other properties in the Town.

These requirements assume evenly graded surfaces. When local irregularities in the ground surface produce results which are in conflict with the intent of these requirements, the Planning Commission shall determine reasonable, average ground surface conditions in the vicinity of the governing points and instruct the Public Works Director to make structure height calculations based on these reasonable average conditions.

The intention of the height limits is to produce structures which minimize visual impact on the ridge zone. If, during the design review process associated with a particular structure, a design emerges which is in compliance with these limits, but in conflict with the intent of the ordinance codified in this article, the Planning Commission shall have the authority to amend these limits in order to achieve the original intention of these limits.

Prior to any amendment of these height limits, the Planning Commission shall make all of the following findings:

(a) That such amendment will better achieve the purpose of the ordinance codified in this article.
DEVELOPMENT STANDARDS TABLE

TABLE 4A
(Continued)

(11) (Continued)

(b) The amendment in height limits will benefit the public welfare and other properties in the area.

(c) The amendment will not result in the substantial obstruction of a visible ridgeline or the obstruction of views from other properties in the Town.

Building site locations shall be selected to reduce visibility providing such locations can be served with reasonable access and are geologically stable. The preliminary and precise development plans shall be based on a grading plan designed to retain the natural features of the land. Cuts and fills shall be kept to a minimum, and rounded and contoured to blend with existing topography.

(12) No development, including structures, roads, and public facilities shall be allowed on visible ridges and hillsides unless it has been demonstrated to the satisfaction of the Town Engineer and Planning Commission that development outside of the ridge zone is not feasible for geologic, soils, or hydrologic reasons, or development would impact a unique natural habitat, and if development is allowed on visible ridges and hillsides, the maximum height shall be no more than 18’ above the ridgeline.

(13) A maximum height of 35’ and 3 stories shall be allowed when the average slope of the land within the building footprint exceeds 25%.

(14) Fences, Privacy Walls, Hedges, and Screen Plantings

(a) The height of any fence, privacy wall, hedge, or screen planting shall not exceed six feet (6’-0") in height above grade, including any supporting structures, when measured at any point and from either side of the fence, privacy wall, hedge, or screen planting.

(b) The construction or installation of fences, privacy walls, hedges, and screen plantings within front and streetside side yard areas shall be subject to obtaining a permit from the Public Works Director. The Public Works Director shall determine the maximum height of any such fence, privacy wall, hedge, or screen planting, not to exceed six feet (6’-0") in height above grade, based on safety factors necessary to maintain good vehicular and pedestrian visibility at intersections of streets, sidewalks, and driveways, after consideration of the terrain and topography of the lot involved, and the volume of vehicular and pedestrian traffic.

(c) Fences, privacy walls, hedges, and screen plantings exceeding six feet (6’-0") in height above grade, or those exceeding lesser heights as specified by the Public Works Director, within front and streetside side yard areas may be considered a public nuisance.
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B

Legend
"E": Exception. No Planning review required
"AV": Administrative Variance required

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>MINIMUM DISTANCE FROM PROPERTY LINE(1)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FRONT</td>
</tr>
<tr>
<td>Accessory Structure</td>
<td></td>
</tr>
<tr>
<td>1. One, detached or attached to an existing structure, and similar in type to gazebo or tool shed, and 60 square feet or less in area and 6' or less in height above grade.</td>
<td>20'</td>
</tr>
<tr>
<td>2. One, detached or attached to an existing structure and similar in type to gazebo or tool shed, and 100 square feet or less in area and 8' or less in height above grade.</td>
<td>20'</td>
</tr>
<tr>
<td>Arbor and Trellis</td>
<td></td>
</tr>
<tr>
<td>1. All freestanding, and 60 square feet or less in area and 8' or less in height above grade. A distance of 10' shall be maintained from dwellings located on contiguous properties.</td>
<td>3'</td>
</tr>
<tr>
<td>2. All freestanding, exceeding 60 square feet in area and exceeding 8' in height above grade.</td>
<td>20'</td>
</tr>
</tbody>
</table>
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B
(Continued)

Legend
"E": Exception. No Planning review required
"AV": Administrative Variance required

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>MINIMUM DISTANCE FROM PROPERTY LINE(1)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FRONT</td>
</tr>
<tr>
<td><strong>Awning, Chimney, Cornice, Eave, Fireplace</strong></td>
<td></td>
</tr>
<tr>
<td>1. All extending not more than 3' from the existing building wall. A distance of 10' shall be maintained from dwellings located on contiguous properties.</td>
<td>3'</td>
</tr>
<tr>
<td>2. All extending beyond 3' from the existing building wall.</td>
<td>3'</td>
</tr>
<tr>
<td><strong>Creek Bank Restoration</strong></td>
<td></td>
</tr>
<tr>
<td>Limited to a 20 foot length measured parallel to the creek bed.</td>
<td>0'</td>
</tr>
</tbody>
</table>
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B
(Continued)

Legend

"E": Exception. No Planning review required
"AV": Administrative Variance required

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>FRONT</th>
<th>REAR</th>
<th>INTERIOR SIDE</th>
<th>STREET SIDE</th>
<th>TYPE OF REVIEW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deck, Landing, Stairway</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Up to 30&quot; in height above grade.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>E</td>
</tr>
<tr>
<td>2. All uncovered, exceeding 30&quot; in height above grade.</td>
<td>14'</td>
<td>14'</td>
<td>6'</td>
<td>10'</td>
<td>E</td>
</tr>
<tr>
<td>3. All uncovered, exceeding 30&quot; in height, but not exceeding 5' in height above grade.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>AV</td>
</tr>
<tr>
<td>Dormer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A maximum of one on each wall, each to be no greater than 8' in length as measured parallel to the roof ridge. A distance of 10' shall be maintained from dwellings located on contiguous properties.</td>
<td>3'</td>
<td>3'</td>
<td>3'</td>
<td>3'</td>
<td>E</td>
</tr>
<tr>
<td>Enclosure of an Area Directly Below an Existing Deck</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To create additional living area, not to exceed 100 square feet, and provided it does not create separate living quarters.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>AV</td>
</tr>
</tbody>
</table>
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B
(Continued)

Legend

"E": Exception. No Planning review required
"AV": Administrative Variance required

MINIMUM DISTANCE FROM PROPERTY LINE\(^{(1)}\)(\(^{(2)}\))

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>FRONT</th>
<th>REAR</th>
<th>INTERIOR SIDE</th>
<th>STREET SIDE</th>
<th>TYPE OF REVIEW REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enclosure of Existing Roofed Porch</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Limited to one wall of an existing dwelling, not to exceed 100 square feet.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>E</td>
</tr>
<tr>
<td>Fence</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Up to 6' in height above grade.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>E(^{(3)})</td>
</tr>
<tr>
<td>2. Exceeding 6' in height, but not exceeding 10' in height above grade.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>AV(^{(3)})</td>
</tr>
<tr>
<td>First Story Rear Horizontal Dwelling Infill Extensions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incorporating no additional height increase and within the boundaries created by connecting two points of the same side of an existing building (notch filler).</td>
<td>20'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>E</td>
</tr>
</tbody>
</table>
### MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

**TABLE 4B**

(Continued)

Legend

"E": Exception. No Planning review required
"AV": Administrative Variance required

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>MINIMUM DISTANCE FROM PROPERTY LINE(1)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FRONT</td>
</tr>
<tr>
<td>Hot Tub</td>
<td>20'</td>
</tr>
<tr>
<td>Both inground and above ground</td>
<td></td>
</tr>
<tr>
<td>(exclusive of motorized mechanical equipment)</td>
<td></td>
</tr>
<tr>
<td>Parking Deck, Driveway, and Supporting Structure</td>
<td></td>
</tr>
<tr>
<td>All uncovered, on both downslope</td>
<td>0'</td>
</tr>
<tr>
<td>and upslope lots having a minimum</td>
<td></td>
</tr>
<tr>
<td>average lot slope of 25%. A</td>
<td></td>
</tr>
<tr>
<td>minimum area to provide three</td>
<td></td>
</tr>
<tr>
<td>parking spaces shall be required</td>
<td></td>
</tr>
<tr>
<td>for a new single family dwelling</td>
<td></td>
</tr>
<tr>
<td>as a condition of approval.</td>
<td></td>
</tr>
<tr>
<td>Parking Spaces on Uphill Lots</td>
<td>0'</td>
</tr>
<tr>
<td>With retaining walls greater than</td>
<td></td>
</tr>
<tr>
<td>6' in height above grade, but</td>
<td></td>
</tr>
<tr>
<td>less than 10' in height above</td>
<td></td>
</tr>
<tr>
<td>grade. Note: a minimum area to</td>
<td></td>
</tr>
<tr>
<td>provide three parking spaces</td>
<td></td>
</tr>
<tr>
<td>shall be required for a new</td>
<td></td>
</tr>
<tr>
<td>single family dwelling as a</td>
<td></td>
</tr>
<tr>
<td>condition of approval.</td>
<td></td>
</tr>
</tbody>
</table>
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B
(Continued)

Legend

"E": Exception. No Planning review required
"AV": Administrative Variance required

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>MINIMUM DISTANCE FROM PROPERTY LINE(1)(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raising of a Dwelling</td>
<td>FRONT REAR INTERIOR STREET TYPE OF REVIEW</td>
</tr>
<tr>
<td></td>
<td>0' 0' 0' 0' E</td>
</tr>
<tr>
<td>Replacement in Kind</td>
<td>0' 0' 0' 0' AV</td>
</tr>
</tbody>
</table>
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B
(Continued)

Legend
"E": Exception. No action required.
"AV": Administrative Variance required

MINIMUM DISTANCE FROM PROPERTY LINE(1)(2)

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>FRONT</th>
<th>REAR</th>
<th>INTERIOR SIDE</th>
<th>STREET SIDE</th>
<th>TYPE OF REVIEW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining Wall, Cut</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Up to 30&quot; in height above grade</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>E</td>
</tr>
<tr>
<td>2. Involves cutting only into existing hillside for restoration of a slope that has failed through slide or erosion, up to 4' in height above grade, provided the wall is partially screened with vegetation.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>AV</td>
</tr>
<tr>
<td>3. Involves cutting only into existing hillside for restoration of a slope that has failed through slide or erosion, exceeding 4' in height above grade.</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>AV</td>
</tr>
<tr>
<td>Retaining Wall, Fill</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Up to 30&quot; in height above grade</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>E</td>
</tr>
<tr>
<td>2. Exceeding 30&quot; in height, but not exceeding 6' in height above grade</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>0'</td>
<td>AV</td>
</tr>
</tbody>
</table>
# MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

## TABLE 4B
(Continued)

### Legend

"E": Exception. No action required.
"AV": Administrative Variance required

### MINIMUM DISTANCE FROM PROPERTY LINE(1)(2)

<table>
<thead>
<tr>
<th>TYPE OF STRUCTURE</th>
<th>FRONT</th>
<th>REAR</th>
<th>INTERIOR SIDE</th>
<th>STREET SIDE</th>
<th>TYPE OF REVIEW REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swimming Pool</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both inground and above ground (exclusive of motorized mechanical equipment)</td>
<td>20'</td>
<td>8'</td>
<td>8'</td>
<td>8'</td>
<td>E</td>
</tr>
<tr>
<td>Window: Bay, Greenhouse, and Box</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. All extending not more than 3' from the existing building wall and no greater than 8' in length. A distance of 10' shall be maintained from dwellings located on contiguous properties.</td>
<td>3'</td>
<td>3'</td>
<td>3'</td>
<td>3'</td>
<td>E</td>
</tr>
<tr>
<td>2. All extending more than 3' from the existing building wall and greater than 8' in length.</td>
<td>3'</td>
<td>3'</td>
<td>3'</td>
<td>3'</td>
<td>AV</td>
</tr>
</tbody>
</table>

---

Notes on Following Page
MINOR INTRUSIONS INTO REQUIRED RESIDENTIAL DEVELOPMENT STANDARDS

TABLE 4B
(Continued)

Notes:

(1) All other structures that intrude into the minimum required setback areas shall require Planning Commission variance review unless a determination is made by the Planning Director that a particular structure is similar in kind to one of the above listed structures which are considered either an Exception or subject to Administrative Variance review.

(2) For R-1 H, R-1 C, and R-1 properties located at or above 150 mean sea level elevation, design review approval shall take precedence over the above listed exceptions.

(3) Fences located within 20' of a property fronting a street are subject to a separate permit review by the Public Works Director. Refer to Footnote (14) of Table 4A.
## SLOPE DENSITY/LOT AREA FOR RESIDENTIAL PROPERTIES

### Table 4C

<table>
<thead>
<tr>
<th>Natural Ground (%) of Slope</th>
<th>Minimum Lot Area (Square Feet)</th>
<th>Minimum Average Lot Width (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15%</td>
<td>7,500</td>
<td>60'</td>
</tr>
<tr>
<td>16%</td>
<td>8,000</td>
<td>72'</td>
</tr>
<tr>
<td>17%</td>
<td>8,500</td>
<td>74'</td>
</tr>
<tr>
<td>18%</td>
<td>9,000</td>
<td>76'</td>
</tr>
<tr>
<td>19%</td>
<td>9,500</td>
<td>78'</td>
</tr>
<tr>
<td>20%</td>
<td>10,000</td>
<td>80'</td>
</tr>
<tr>
<td>21%</td>
<td>10,500</td>
<td>82'</td>
</tr>
<tr>
<td>22%</td>
<td>11,000</td>
<td>84'</td>
</tr>
<tr>
<td>23%</td>
<td>11,500</td>
<td>86'</td>
</tr>
<tr>
<td>24%</td>
<td>12,000</td>
<td>88'</td>
</tr>
<tr>
<td>25%</td>
<td>12,500</td>
<td>90'</td>
</tr>
<tr>
<td>26%</td>
<td>13,000</td>
<td>92'</td>
</tr>
<tr>
<td>27%</td>
<td>13,500</td>
<td>94'</td>
</tr>
<tr>
<td>28%</td>
<td>14,000</td>
<td>96'</td>
</tr>
<tr>
<td>29%</td>
<td>14,500</td>
<td>98'</td>
</tr>
<tr>
<td>30%</td>
<td>15,000</td>
<td>100'</td>
</tr>
<tr>
<td>31%</td>
<td>15,500</td>
<td>100'</td>
</tr>
<tr>
<td>32%</td>
<td>16,000</td>
<td>100'</td>
</tr>
<tr>
<td>33%</td>
<td>16,500</td>
<td>100'</td>
</tr>
<tr>
<td>34%</td>
<td>17,000</td>
<td>100'</td>
</tr>
<tr>
<td>35%</td>
<td>17,500</td>
<td>100'</td>
</tr>
<tr>
<td>36%</td>
<td>18,000</td>
<td>100'</td>
</tr>
<tr>
<td>37%</td>
<td>18,500</td>
<td>100'</td>
</tr>
<tr>
<td>38%</td>
<td>19,000</td>
<td>100'</td>
</tr>
<tr>
<td>39%</td>
<td>19,500</td>
<td>100'</td>
</tr>
<tr>
<td>40%</td>
<td>20,000</td>
<td>100'</td>
</tr>
<tr>
<td>41%</td>
<td>20,500</td>
<td>100'</td>
</tr>
<tr>
<td>42%</td>
<td>21,000</td>
<td>100'</td>
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<tr>
<td>43%</td>
<td>21,500</td>
<td>100'</td>
</tr>
<tr>
<td>44%</td>
<td>22,000</td>
<td>100'</td>
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<tr>
<td>45%</td>
<td>22,500</td>
<td>100'</td>
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<tr>
<td>46%</td>
<td>23,000</td>
<td>100'</td>
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<tr>
<td>47%</td>
<td>23,500</td>
<td>100'</td>
</tr>
<tr>
<td>48%</td>
<td>24,000</td>
<td>100'</td>
</tr>
<tr>
<td>49%</td>
<td>24,500</td>
<td>100'</td>
</tr>
</tbody>
</table>
## SLOPE DENSITY/LOT AREA
### FOR RESIDENTIAL PROPERTIES

**Table 4C (Continued)**

<table>
<thead>
<tr>
<th>Natural Ground (% of Slope)</th>
<th>Minimum Lot Area (Square Feet)</th>
<th>Minimum Average Lot Width (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>25,000</td>
<td>100'</td>
</tr>
<tr>
<td>51%</td>
<td>25,500</td>
<td>100'</td>
</tr>
<tr>
<td>52%</td>
<td>26,000</td>
<td>100'</td>
</tr>
<tr>
<td>53%</td>
<td>26,500</td>
<td>100'</td>
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<tr>
<td>54%</td>
<td>27,000</td>
<td>100'</td>
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<tr>
<td>55%</td>
<td>27,500</td>
<td>100'</td>
</tr>
<tr>
<td>56%</td>
<td>28,000</td>
<td>100'</td>
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<tr>
<td>57%</td>
<td>28,500</td>
<td>100'</td>
</tr>
<tr>
<td>58%</td>
<td>29,000</td>
<td>100'</td>
</tr>
<tr>
<td>59%</td>
<td>29,500</td>
<td>100'</td>
</tr>
<tr>
<td>60%</td>
<td>30,000</td>
<td>100'</td>
</tr>
<tr>
<td>61%</td>
<td>30,500</td>
<td>100'</td>
</tr>
<tr>
<td>62%</td>
<td>31,000</td>
<td>100'</td>
</tr>
<tr>
<td>63%</td>
<td>31,500</td>
<td>100'</td>
</tr>
<tr>
<td>64%</td>
<td>32,000</td>
<td>100'</td>
</tr>
<tr>
<td>65%</td>
<td>32,500</td>
<td>100'</td>
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<tr>
<td>66%</td>
<td>33,000</td>
<td>100'</td>
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<tr>
<td>67%</td>
<td>33,500</td>
<td>100'</td>
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<tr>
<td>68%</td>
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<tr>
<td>69%</td>
<td>34,500</td>
<td>100'</td>
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<tr>
<td>70%</td>
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<td>100'</td>
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<tr>
<td>71%</td>
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<td>100'</td>
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<tr>
<td>72%</td>
<td>36,000</td>
<td>100'</td>
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<tr>
<td>73%</td>
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<td>100'</td>
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<tr>
<td>74%</td>
<td>37,000</td>
<td>100'</td>
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<tr>
<td>75%</td>
<td>37,500</td>
<td>100'</td>
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<tr>
<td>76%</td>
<td>38,000</td>
<td>100'</td>
</tr>
<tr>
<td>77%</td>
<td>38,500</td>
<td>100'</td>
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<tr>
<td>78%</td>
<td>39,000</td>
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<tr>
<td>79%</td>
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<td>80%</td>
<td>40,000</td>
<td>100'</td>
</tr>
<tr>
<td>81%</td>
<td>40,500</td>
<td>100'</td>
</tr>
<tr>
<td>82%</td>
<td>41,000</td>
<td>100'</td>
</tr>
<tr>
<td>83%</td>
<td>41,500</td>
<td>100'</td>
</tr>
<tr>
<td>84%</td>
<td>42,000</td>
<td>100'</td>
</tr>
<tr>
<td>85%</td>
<td>42,500</td>
<td>100'</td>
</tr>
<tr>
<td>86%</td>
<td>43,000</td>
<td>100'</td>
</tr>
<tr>
<td>87%</td>
<td>43,500</td>
<td>100'</td>
</tr>
</tbody>
</table>
1. **MAXIMUM ALLOWABLE NUMBER OF UNITS FOR THE CORRESPONDING PARCELS**

<table>
<thead>
<tr>
<th>Assessor's Parcel Number</th>
<th>Number of Units</th>
<th>Assessor's Parcel Number</th>
<th>Number of Units</th>
<th>Assessor's Parcel Number</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-011-60</td>
<td>5</td>
<td>7-031-28</td>
<td>1</td>
<td>7-191-03</td>
<td>1</td>
</tr>
<tr>
<td>5-011-64</td>
<td>2</td>
<td>7-097-06</td>
<td>1</td>
<td>7-191-06*</td>
<td>1</td>
</tr>
<tr>
<td>5-031-32</td>
<td>1</td>
<td>7-071-03*</td>
<td>1</td>
<td>7-201-09*</td>
<td>1</td>
</tr>
<tr>
<td>5-031-35*</td>
<td></td>
<td>7-101-02*</td>
<td>12**</td>
<td>7-201-02</td>
<td>1</td>
</tr>
<tr>
<td>5-081-07*</td>
<td>5**</td>
<td>7-101-01*</td>
<td>3**</td>
<td>7-201-06</td>
<td>1</td>
</tr>
<tr>
<td>5-081-19*</td>
<td></td>
<td>7-154-01*</td>
<td></td>
<td>7-201-08</td>
<td>2</td>
</tr>
<tr>
<td>5-043-16*</td>
<td></td>
<td>7-121-40</td>
<td>1</td>
<td>7-201-10</td>
<td>3</td>
</tr>
<tr>
<td>5-043-22*</td>
<td></td>
<td>7-131-01</td>
<td>1</td>
<td>7-241-49*</td>
<td>1</td>
</tr>
<tr>
<td>5-043-31*</td>
<td>4**</td>
<td>7-131-15*</td>
<td>1</td>
<td>7-241-51*</td>
<td>1</td>
</tr>
<tr>
<td>177-220-54*</td>
<td></td>
<td>7-142-01*</td>
<td>3</td>
<td>7-241-50</td>
<td>1</td>
</tr>
<tr>
<td>177-133-13*</td>
<td></td>
<td>7-182-03*</td>
<td>1</td>
<td>7-241-56</td>
<td>1</td>
</tr>
<tr>
<td>5-300-15</td>
<td>8</td>
<td>7-154-02</td>
<td>1</td>
<td>7-241-67</td>
<td>1</td>
</tr>
<tr>
<td>5-300-25</td>
<td>2</td>
<td>7-154-03</td>
<td>1</td>
<td>177-190-05</td>
<td>5</td>
</tr>
<tr>
<td>6-013-41</td>
<td>2</td>
<td>7-182-07</td>
<td>1</td>
<td>177-250-31</td>
<td>1</td>
</tr>
<tr>
<td>6-091-05</td>
<td>1</td>
<td>7-097-02*</td>
<td>2**</td>
<td>177-220-50*</td>
<td>12**</td>
</tr>
<tr>
<td>6-091-56</td>
<td></td>
<td>7-097-05*</td>
<td></td>
<td>177-250-40*</td>
<td></td>
</tr>
<tr>
<td>6-172-10</td>
<td>1</td>
<td>7-141-04*</td>
<td></td>
<td>177-250-41*</td>
<td></td>
</tr>
</tbody>
</table>

* Multiple parcels under one ownership

** The number of units established for these parcels is based on the assumption of their combined development.
TABLE OF R-1 H (HILLSIDE DENSITY DISTRICT) PARCELS

TABLE 4D (Continued)

2. MAXIMUM ALLOWABLE NUMBER OF UNITS (INCLUDING EXISTING PLUS NEW) FOR THE CORRESPONDING PARCELS (SOME OF WHICH ARE ONLY PARTIALLY DEVELOPED)

<table>
<thead>
<tr>
<th>Assessor's Parcel Number</th>
<th>Number of Units</th>
<th>Assessor's Parcel Number</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-062-73</td>
<td>2</td>
<td>6-172-03</td>
<td></td>
</tr>
<tr>
<td>6-181-42</td>
<td>2</td>
<td>6-172-04</td>
<td></td>
</tr>
<tr>
<td>7-154-07</td>
<td>1</td>
<td>6-172-06*</td>
<td>2**</td>
</tr>
<tr>
<td>7-191-07</td>
<td>1</td>
<td>6-172-07</td>
<td></td>
</tr>
<tr>
<td>7-191-10</td>
<td>2</td>
<td>6-172-08</td>
<td></td>
</tr>
<tr>
<td>7-192-07</td>
<td>1</td>
<td>6-172-09</td>
<td></td>
</tr>
<tr>
<td>7-241-66</td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Multiple parcels under one ownership

** The number of units established for these parcels is based on the assumption of their combined development.

3. DENSITIES FOR THE FOLLOWING PARCELS SHALL BE RECOMMENDED BY THE PLANNING COMMISSION AFTER A SPECIAL PUBLIC HEARING AND AFTER ACCEPTABLE ACCESS HAS BEEN DEMONSTRATED IN JOINT COOPERATION WITH THE TOWN OF FAIRFAX

<table>
<thead>
<tr>
<th>Assessor's Parcel Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>7-071-02</td>
</tr>
<tr>
<td>7-101-01</td>
</tr>
<tr>
<td>Formula</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>35% of Lot Size</td>
</tr>
<tr>
<td>10% of Lot Size</td>
</tr>
<tr>
<td>+ 2,000 sq. ft.</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>5% of Lot Size</td>
</tr>
<tr>
<td>+ 3,000 sq. ft.</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>5,000 sq. ft. Maximum</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
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<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Notes on Following Page
TABLE OF MAXIMUM SIZES OF DWELLINGS ON RESIDENTIAL PROPERTIES LOCATED ABOVE 150 MEAN SEA LEVEL ELEVATION

TABLE 4E (Continued)

Notes:

(1) Adjusted Floor Area is defined as the gross interior floor area in the main dwelling PLUS:
   a. Any garage space after the first 500 square feet; and
   b. Any enclosed accessory buildings; and
   c. Any second unit space after the first 500 square feet of gross interior floor area; and
   d. any potential living space with minimum dimensions of 8 feet by 10 feet and 7.5 feet head room.

(2) The maximum size of R-1H, R-1-C, and R-1 structures located above 150 mean sea level shall be as described above. The maximum house size shall be further limited by the requirement to meet all applicable design review findings. Should there be no other option but to allow development on a visible hillside or ridge, the Town may further limit the size of development, i.e., square footage allowed within any structure, should it be determined that such a limitation would reduce the visual impact of a development.
ARTICLE 5. PARKING AND LOADING REGULATIONS

Sec. 10-3.501. Purpose and Intent

It is the purpose and intent of this Article to establish parking and loading regulations and criteria deemed the minimum necessary to provide adequate and safe vehicular parking and loading facilities for all uses and activities in all Districts.

Sec. 10-3.502. Parking Standards

The Parking Standards Table, referred to as Table 5A, lists the minimum parking requirements for each use or activity. If a particular use or activity is not listed in the Parking Standards Table, then establishment of parking requirements for that use or activity shall be determined by the Planning Commission after the preparation of a Parking Demand Study for the proposed use or activity.

Sec. 10-3.503. Enlargement, Increased Capacity and Intensity of Use to Commercial Buildings

At the time an existing commercial building or structure is enlarged in size or increased in intensity of use, in the opinion of the Planning Director, the minimum off-street parking spaces as listed in the Parking Standards Table, referred to as Table 5A, shall be required.

Sec. 10-3.504. Enlargement and Alteration to Dwelling Units and Conversion of Garages, Carports, and Uncovered Parking Spaces

(a) Any dwelling unit having less than the required number of vehicular parking spaces as required by the Parking Standards Table, referred to as Table 5A, may be enlarged provided that one of the following conditions is satisfied:

(1) The required number, siting, configuration, and size of off-street parking spaces as required by the Parking Standards Table, referred to as Table 5A, of the San Anselmo Municipal Code shall be provided as a condition of approval of the building permit for the enlargement, except that the parking spaces may be in tandem and within established setback areas; or

(2) The enlargement does not include a room suitable for use as a bedroom nor does the enlargement include the conversion of an existing room for use as a bedroom.

(b) No building permit shall be issued for any structural alteration or modification which eliminates or makes substandard any parking space within a garage or carport, or which eliminates or makes substandard any uncovered parking space, unless there is available on the same lot the same number of parking spaces converted and that the required number, siting, configuration, and size of off-street parking spaces as required by the Parking Standards Table, referred to as Table 5A, are provided as condition of approval of the building permit for the enlargement.

Sec. 10-3.505. Mixed Use Parking Requirements

Any lot on which there is located mixed uses which, as required by the Parking Standards Table, referred to as Table 5A, have different parking requirements, shall provide parking spaces in sufficient number to fulfill the combined number of parking spaces required for each of the separate uses or activities.
Sec. 10-3.506 Parking Space - Location

Parking spaces may be located off-site from the use they are intended to serve only if the parking space or spaces are within 150' of the lot on which the use they are intended to serve is located and that the off-site parking spaces are reserved in perpetuity and exclusively for the use they are intended to serve by the recodement of a deed restriction or other appropriate instrument. Parking spaces provided on a parcel for an off-site use must be spaces in excess of the minimum Code required parking spaces for the use on that parcel providing the parking.

Sec. 10-3.507 Parking Space - Dimensions

Each parking space shall have minimum dimensions of nine feet (9') in width, nineteen feet (19') in length, and seven feet (7') of vertical clearance for the entire horizontal dimension of the parking space.

Sec. 10-3.508 Parking Space - Siting

All parking spaces shall be sited in compliance with all development standards as set forth in the Development Standards Table, referred to as Table 4A.

Sec. 10-3.509 Parking Space - Access

Each required parking space shall have access to a public street, alley, access easement, drive aisle, or driveway.

Sec. 10-3.510 Parking Space - Screening

All parking spaces within the R-3 District shall be screened.

Sec. 10-3.511 Parking Space - Surfacing

All parking spaces, drive aisles, and driveways, and all other streets, alleys, and access easements which serve a parking space shall be constructed and paved with an all-weather surface as may be approved by the Director of Public Works.

Sec. 10-3.512 Loading Space Requirements

For each 4,000 square feet of lot on which is located a hospital, institution, hotel, or commercial use with limited vehicular access to the site due to traffic volume, traffic movement patterns, or on-street parking there shall be a minimum of one (1) permanently maintained on-site loading space. The loading space shall have minimum dimensions of ten feet (10') in width, forty feet (40') in length, and fourteen feet (14') of vertical clearance for the entire horizontal dimension of the loading space. This Section shall not require the provision of more than two (2) on-site loading spaces for any one lot, unless it is found by the Planning Director that there are special circumstances which warrant additional on-site loading spaces.

Sec. 10-3.513 Loading Space - Siting

All loading spaces shall be sited in compliance with all development standards as set forth in the Development Standards Table, referred to as Table 4A.

Sec. 10-5.514 Loading Space - Access

Each loading space shall have immediate and direct access to a public street, alley, access easement, drive aisle, or driveway.
Sec. 10-3.515. Loading Space Surfacing

All loading spaces, drive aisles, and driveways, and all other streets, alleys, and access easements which serve a loading space shall be constructed and paved with an all-weather surface as may be approved by the Director of Public Works.
### PARKING STANDARDS TABLE

#### TABLE 5A

<table>
<thead>
<tr>
<th>RESIDENTIAL LAND USE</th>
<th>NUMBER OF REQUIRED ON-SITE PARKING SPACES (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Dwelling, Attached or Detached, and Located below 150 mean sea level elevation</td>
<td>Two (2) spaces per living unit</td>
</tr>
<tr>
<td>Single Family Dwelling, Attached or Detached, and Located above 150 mean sea level elevation</td>
<td>Three (3) spaces per living unit (2)</td>
</tr>
<tr>
<td>Second Living Unit</td>
<td></td>
</tr>
<tr>
<td>Located only on R-1, R-1 C, or R-1 H zoned property</td>
<td>One (1) space per second living unit</td>
</tr>
<tr>
<td>Multi-Family Living Unit:</td>
<td></td>
</tr>
<tr>
<td>Studio or 1-bedroom living unit</td>
<td>One (1) space per unit</td>
</tr>
<tr>
<td>2-bedroom living unit</td>
<td>One and one-half (1-1/2) spaces per unit</td>
</tr>
<tr>
<td>3 or more bedroom living unit</td>
<td>Two (2) spaces per unit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NON-RESIDENTIAL LAND USE</th>
<th>NUMBER OF REQUIRED ON-SITE PARKING SPACES (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Church, College/University Auditorium, High School, and Other Places of Public Assembly</td>
<td>One (1) space for each ten (10) fixed seats</td>
</tr>
<tr>
<td>Convalescent Home, Hospital</td>
<td>One (1) space for every two (2) beds</td>
</tr>
<tr>
<td>Auditorium, Theatre, Other Similar Places of Assembly</td>
<td>One (1) space for each five (5) fixed seats</td>
</tr>
<tr>
<td>Commercial Place of Amusement, Assembly Hall Without Fixed Seats, Dance Hall</td>
<td>One (1) space for each 100 gross square feet of building floor area</td>
</tr>
<tr>
<td>Hotel, Motel</td>
<td>One (1) space for each guest room</td>
</tr>
<tr>
<td>Communication Equipment Building</td>
<td>Three (3) spaces PLUS one (1) space for each 500 gross square feet of building floor area PLUS two (2) spaces for each two (2) employees on duty on the maximum shift</td>
</tr>
<tr>
<td>Other Business, Commercial, Public Utility Buildings</td>
<td>Three (3) spaces PLUS one (1) space for each 500 gross square feet of building floor area</td>
</tr>
</tbody>
</table>

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Notes on Following Page
Notes:

1. Any calculation of parking space requirements which results in a fractional parking space shall be rounded up to the next full parking space.

2. One of the three parking spaces may be in tandem and may be located within the minimum required front setback.
ARTICLE 6. GENERAL PROVISIONS

Sec. 10-3.601. Purpose and Intent

The purpose of this Article is to establish the provisions of the Zoning Ordinance that are common to all portions of Title 10, Chapter 3.

Sec. 10-3.602. Regulations to be Construed as Minimum

The interpretation and application of the provisions of this Chapter, unless otherwise stated, shall be held to be the minimum requirements necessary for the promotion and protection of the public health, safety, and general welfare of the Town.

Sec. 10-3.603. Conflicts with Other Laws and Restrictions

(a) Where conflicts occur between the regulations of this Chapter and the General Plan, the Uniform Building Code, or other regulatory documents of the Town, State, or Federal Government, the more restrictive of any such regulations shall apply.

(b) It is not intended that the provisions of this Chapter shall interfere with, abrogate, or annul any easement, covenant, or other agreement in effect, provided, however, when the provisions of this Chapter impose greater restrictions than imposed or required by other laws, rules, or regulations, or by easements, covenants, or agreements, the provisions of this Chapter shall apply.

Sec. 10-3.604. Landscape Maintenance

All landscaping required by this Chapter, or by conditions imposed as part of a discretionary approval made pursuant to this Chapter, shall be installed along with an automatic irrigation system and shall be maintained in a healthy condition in accordance with approved landscaping plans. Any landscaping required by this Chapter or by conditions imposed as part of a discretionary approval made pursuant to this Chapter, and found by the Planning Director to not be adequately maintained, shall be considered a public nuisance.

Sec. 10-3.605. Natural Disaster

In the event of a major natural occurrence, such as a flood or earthquake, and after the Town Council has made a formal declaration of disaster, structures which have been damaged or destroyed as a direct result of the occurrence may be reconstructed substantially as they existed prior to the occurrence without the necessity of a variance, use permit, or other discretionary action. The Planning Director shall have the discretion to determine whether such reconstruction is in accordance with the intent of this Section and shall require an approved variance, use permit, or other discretionary action when significant changes are proposed.

Sec. 10-3.606. Fees

(a) Application Fees

A fee for planning applications in such amount as established by resolution of the Town Council shall be charged each applicant, which fee shall be paid at the time the application is first filed. The filing of the application shall not be deemed to have occurred, nor shall the application be considered complete, unless and until the fee is paid. These fees shall apply toward reimbursing the Town for its cost of processing said applications.
(b) Retention of Consultants to Process Planning Applications

The Planning Director may determine that retention of a consultant is required to process the application for one or more of the following reasons: augmentation of the Town's professional capabilities during a peak workload period, or other critical period and/or to provide specialized or expert services not presently available within Town staff to process a complex and/or unique application. The cost of the administrative fees, as established by resolution of the Town Council, and consultant services will be paid by the property owner and shall become due and payable upon receipt of a bill therefor. The application may be placed on the agenda for denial by the Planning Commission if said fees are not paid in full. The application shall be signed by the owner(s) of the property.

Sec. 10-3.607. Nonconforming Uses and Improvements

Sec. 10-3.607(a). Purpose and Intent

The purpose of this Article is to provide regulations and procedures for addressing existing uses and existing improvements which are not in conformance with provisions of this Chapter as of the date of its adoption or amendment. Such nonconforming improvements typically include those which do not conform to yard setback, building height, or maximum number of stories. Typical nonconforming uses include uses within a District which are not permitted by the current District's land use regulations but were permitted by a previous District's provisions.

Sec. 10-3.607(b). Nonconforming Uses of Land

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 of this chapter, may be continued; provided, however, nonconforming 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 January 10, 1963. If any nonconforming use is, or has been, abandoned, or is, or has been, discontinued for a period of six (6) months or more, intentionally or unintentionally, the subsequent use of such land shall be in conformity with the provisions of this chapter.

Except as otherwise provided in this Code, the nonconforming use of land for outdoor display or sale of goods, wares, or merchandise, whether or not such land is improved by any building, shall cease and be unlawful from and after February 15, 1971, which period of time the Council finds is fair and reasonable to permit the transition from a nonconforming use to a use which conforms to the provisions of this Code.

Sec. 10-3.607(c). Nonconforming Uses of Buildings

No existing building designed, arranged, intended for, or devoted to a use not permitted under the regulations of this chapter 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 chapter for such district in which such building is located; provided, however, authorized maintenance shall be permitted not exceeding a total amount, during a period of five (5) years, of twenty-five (25%) percent of the full market value, as determined by the County Assessor.

Sec. 10-3.607(d). Damages to Nonconforming Buildings and Improvements

If at any time any building, structure, or improvement in existence or maintained at the time of the adoption of this chapter, which building, structure, or improvement 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 (1/2) the value thereof, then, and without further action of the Council, the building, structure, or improvement and the land on which the building, structure, or improvement was located or maintained, from and after the date of such destruction, shall be subject to all the regulations of the district in
which such land and/or building is located. For the purposes of this chapter, the value of any building, structure, or improvement shall be the estimated cost of the replacement of the building in kind as determined by the Town.

Sec. 10.3.607(e) Removal to Provide Access For Construction

In the event that a legal nonconforming structure is removed solely to provide access for the purpose of construction or reconstruction of another structure, and where the legal nonconforming structure removed is to be restored identically to its original condition, modified only by current requirements of the Uniform Building Code, the Planning Director may authorize the reconstruction without the necessity for a variance, use permit, or other discretionary action.

Sec. 10.3.607(f). Nonconforming Uses in Districts Established or Changed in the Future

The foregoing provisions of this article shall also apply to nonconforming uses in districts hereafter changed or established, and any time limit for the suspension of a nonconforming use of land shall date from the date of the enactment of this chapter or of any amendment of district boundaries which first created a nonconforming use or uses.

Sec. 10.3.607(g). Certificates of Use and Occupancy

The owner or occupant of any land or building classified as a nonconforming use pursuant to the provisions of this chapter, upon written notification by the Planning Director, shall make an application for a certificate of use and occupancy and shall annually thereafter apply for renewal of such certificate.

Sec. 10.3.607(h). Enlargement, Extension, and Alteration of Nonconforming Buildings

Any nonconforming building may be permitted to be enlarged, extended, reconstructed, or structurally altered in cases where an application for a variance is first approved as provided in Section 10-3.709 of the San Anselmo Municipal Code. The regulations of this article shall be subject to the provisions of this section.

Sec. 10.3.608 Prohibitions

No building permit, license, certificate, or other approval shall be issued or given by the Town or any department or employee thereof with respect to any improvement subject to zoning permit issuance until review of the improvement has been approved as provided in this chapter. No certificate of use and occupancy or similar approval shall be issued, given, or be considered valid for any improvement subject to zoning permit issuance hereunder unless and until the Planning Director has certified that the improvement has been completed in accordance with the zoning application approved pursuant to the provisions of this chapter.

Sec. 10.3.609. Financial Interest of Planning Commission Members

No member of the Planning Commission shall participate in the review of or vote upon the design of any zoning application in which he or she has a direct or indirect financial interest of any kind. The majority of the Town Council may appoint a temporary member to the Planning Commission to take the place of each member so disqualified during the Planning Commission's review of any application in which the regular member has any interest.
ARTICLE 7. PROCEDURES

Sec. 10-3.701. Purpose and Intent

The purpose of this Article is to establish procedures for administering discretionary actions associated with implementing the Zoning Ordinance. This Article establishes application submittal requirements, review authority, mandatory findings for approval, public hearing requirements, appeal procedures, duration of approval, and renewal of approvals.

Sec. 10-3.702. Hierarchy of Discretionary Actions

The following is the prescribed hierarchy order of discretionary actions:

(a) Zoning Ordinance Amendment;
(b) Preliminary Planned Development District;
(c) Specific Planned Development District;
(d) R-1-H Preliminary Development Plan (advisory only);
(e) R-1-H Precise Development Plan;
(f) Tentative Map;
(g) Conditional Use Permit;
(h) Variance;
(i) Design Review

Applications for any and all discretionary actions may be filed and processed concurrently, so long as each application is acted upon independently and in the order prescribed by Section 10-3.702 of the San Anselmo Municipal Code.

Sec. 10-3.703. ZONING ORDINANCE AMENDMENT

Sec. 10-3.703(1). Purpose and Intent

The purpose of a Zoning Ordinance Amendment is to allow any portion of Chapter 3 of Section 10 of the San Anselmo Municipal Code, including text, land use, development standards, definitions, maps, or procedures, to be amended. Zoning Ordinance Amendments may include all or any portion of the following:

(a) Adoption of Zoning Ordinance (Article 1)
(b) Designation and Establishment of Districts (Article 2)
(c) Land Use Regulations (Article 3)
(d) Development Standards (Article 4)
(e) Parking and Loading Regulations (Article 5)
(f) General Provisions (Article 6)
(g) Procedures (Article 7)
(h) Definitions (Article 8)

Sec. 10-3.703(2). Initiation of a Zoning Ordinance Amendment

A Zoning Ordinance Amendment having a substantial impact on land use may be initiated by any of the following:

(a) The owner or owners of a lot or lots for which a Zoning Ordinance Amendment is sought, when the Zoning Ordinance Amendment is sought to benefit a single lot or a limited group of lots; or

(b) The Town Council, when the Zoning Ordinance Amendment will benefit either a single lot, a group of lots, limited or not, an entire District or Districts, or the Town as a whole. The initiation of a
Zoning Ordinance Amendment by the Town Council may be either upon the Council's initiation, or by recommendation of the Planning Director, the Planning Commission, or a member or members of the public.

Sec. 10-3.703(3). Application Requirements

An application for a Zoning Ordinance Amendment shall include, at a minimum, the following:

(a) A completed application form of a content specified by the Planning Director;

(b) A completed environmental information work sheet of a content and form specified by the Planning Director; and

(c) Payment of fees for the review and processing of a Zoning Ordinance Amendment, in a fashion and manner as may be prescribed by the Town Council.

Sec. 10-3.703(4). Review of a Zoning Ordinance Amendment

The Planning Commission shall make a recommendation to the Town Council on a proposed Zoning Ordinance Amendment after one or more public hearings on the Zoning Ordinance Amendment by the Planning Commission. The recommendation or recommendations of the Planning Commission to the Town Council on a proposed Zoning Ordinance Amendment shall include a summary of the Planning Commission's review of the Ordinance Amendment in relation to the required finding set forth by Section 10-3.703(5) of the San Anselmo Municipal Code.

The Town Council shall act on a Zoning Ordinance Amendment following the receipt of a recommendation on the Ordinance Amendment from the Planning Commission and after one or more public hearings on the Zoning Ordinance Amendment by the Town Council. Prior to acting on a Zoning Ordinance Amendment the Town Council shall consider the recommendation or recommendations of the Planning Commission.

Sec. 10-3.703(5). Required Finding for a Zoning Ordinance Amendment

Approval of a Zoning Ordinance Amendment shall be made only after the making of the following finding:

(a) The Zoning Ordinance Amendment in its entirety is in compliance with all provisions of the Town of San Anselmo General Plan.

Sec. 10-3.704. PRELIMINARY AND SPECIFIC PLANNED DEVELOPMENT DISTRICTS

Sec. 10-3.704(1). Purpose and Intent

The Town contains numerous lots which, because of size, hillside location, unusual topography, natural resources, or aesthetic appeal, cannot appropriately be developed through adherence to rigid zoning designations and restrictions. The special characteristics of these lots necessitate a flexible approach to the development of these lots 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 such as neighborhood and district shopping centers, single family residential developments, professional, multiple housing developments, commercial centers, and any other use, or combination of uses which can be made a part of a planned development.
Sec. 10-3.704(2). Designation and Establishment

Planned Development Districts are designated as either Preliminary Planned Development Districts (PPD) or Specific Planned Development Districts (SPD). A PPD District is a designation established upon property which may only be developed pursuant to the provisions of this Section but for which no specific plan has been approved or is in effect. An SPD District refers to a Specific Planned Development District, or portion of a Specific Planned Development District, for which a specific plan has been approved by the Town and is in effect.

Sec. 10-3.704(3). Initiation or Rescinding of a Planned Development District - Undeveloped Parcels

A Planned Development District may be initiated or rescinded by any of the following:

(a) The owner or owners of record of a lot or lots for which a Planned Development District is sought, when the Planned Development District is sought to benefit a single lot or a limited group of lots; or

(b) The Town Council, when the Planned Development District will benefit either a single lot, a group of lots, limited or not, or the Town as a whole. The initiation of a Planned Development District by the Town Council may be either upon the Council’s initiation, or by recommendation of the Planning Director or the Planning Commission.

Sec. 10-3.704(4). Application Requirements

An application for a Preliminary or Specific Planned Development District shall include, at a minimum, the following:

(a) A completed application form of a content specified by the Planning Director;

(b) A completed environmental information work sheet of a content and form specified by the Planning Director;

(c) Payment of fees for the review and processing of a Preliminary or Specific Planned Development District in a fashion, manner and rate as may be prescribed by the Town Council;

(d) The topography of the land and contour intervals;

(e) The proposed street system and lot design;

(f) Areas proposed to be dedicated or reserved for parks, parkways, open space, playgrounds, and other uses;

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

(h) The proposed locations of all buildings on the land;

(i) Elevations of all views and specific heights and perspective drawings of all buildings and structures, other than detached single family residences;

(j) For any hillside or ridge parcel, which is served by an existing roadway, the Town will prepare, and the applicant will pay for, a study of the existing road conditions. The study will include recommendations for improvements which are consistent with Policies 10.1 through 10.3 of the Circulation Element of the San Anselmo General Plan;
(k) Other data and information which may be deemed necessary by the Planning Director for the proper consideration of the application; and

(l) In the course of public hearings, additional information may be requested by the Planning Commission and/or Town Council.

Sec. 10-3.704(5). Review of a Preliminary or Specific Planned Development District.

The Planning Commission shall review and make a recommendation to the Town Council on a proposed Preliminary or Specific Planned Development District after one or more public hearings on the Preliminary Planned Development District by the Planning Commission. The Planning Commission shall review and make a recommendation to the Town Council on a proposed Specific Planned Development District after one or more public hearings on the Specific Planned Development District by the Planning Commission.

The recommendation or recommendations of the Planning Commission to the Town Council on a proposed Preliminary or Specific Planned Development District shall include a summary of the Planning Commission's review of the Preliminary or Specific Planned Development District in relation to the required findings set forth by Section 10-3.704(6) or Section 10-3.704(7) of the San Anselmo Municipal Code.

The Town Council shall act on a Preliminary or Specific Planned Development District following the receipt of a recommendation on the Ordinance Amendment from the Planning Commission and after one or more public hearings by the Town Council on the Preliminary or Specific Planned Development District. Prior to acting on a Preliminary or Specific Planned Development District the Town Council shall consider the recommendation or recommendations of the Planning Commission.

Sec. 10-3.704(6). Required Findings for a Preliminary Planned Development District

Approval of a Preliminary Planned Development District shall be made only after the making of all of the following findings:

(a) The lot or lots is/are of sufficient size and otherwise suitable for planned development;

(b) The lot or lots can best be developed or further developed by a specific integrated plan approved by the Town in advance of development or further development;

(c) Planned development of the lot or lots would promote the purposes set forth in Section 10-3.704(1) of the San Anselmo Municipal Code; and

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

All lots zoned PPD shall also include a further zoning designation indicating the presumptive use for the lot or lots as found by the Town Council. Generally, the presumptive use of the lot or lots designated PPD shall be in accordance with the Zoning District designation on contiguous lots. However, the Town Council may determine that a different presumptive use is more appropriate with regard to the PPD designation. In designating a presumptive use designation, the Town Council may use any of the existing District designations or any other designation as may be appropriate to the lot or lots.

At the time an application for a SPD District designation is filed and considered, the Town Council shall utilize the presumptive use designation as a guideline in considering and evaluating the SPD, but shall not be bound by the presumptive use designation to evaluate a specific planned development on its particular merits and to otherwise designate a use or combination of uses appropriate to the specific plan.
Sec. 10-3.704(7). **Required Findings for a Specific Planned Development District**

Approval of a Specific Planned Development District shall be made only after the making of all of the following findings:

(a) The planned development is consistent with the preliminary planned development;

(b) The lot or lots is/are of sufficient size and otherwise suitable for planned development;

(c) The lot or lots can best be developed or further developed by a specific integrated plan approved by the Town in advance of development or further development;

(d) Planned development of the lot or lots would promote the purposes set forth in Section 10-3.704(1); and

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

Sec. 10-3.704(8). **Use Permits within a PDP or SPD District**

All development within a Planned Development District shall be preceded by the approval of a Use Permit and Design Review, as set forth in Sections 10-3.708 and 10-3.710 of the San Anselmo Municipal Code.

Sec. 10-3.704(9). **Development Standards within a PDP or SPD District**

Development standards for parcels designated as PPD or SPD shall be based upon, but not contingent upon, the established development standards for adjoining lots.

Sec. 10-3.705. **R-1- H PRELIMINARY DEVELOPMENT PLAN (VOLUNTARY - ADVISORY)**

Sec. 10-3.705(1). **Purpose and Intent**

The purpose of the Preliminary Development Plan is to provide for the early review of conceptual development proposals for undeveloped lands, certain reconstruction of existing development, and certain expansions of existing development for all lots located within the R-1-H Zoning District. The Preliminary Development Plan is a voluntary step in the development review process. It is designed to allow a potential applicant for a Precise Development Plan to explore general concepts and receive comments on those concepts from the Town and the community at large. The Preliminary Development Plan is a non-binding pre-application review process which results in no commitments or entitlements to the applicant for a Precise Development Plan.

Sec. 10-3.705(2). **Initiation of an R-1-H Preliminary Development Plan**

A Preliminary Development Plan may be initiated by the following:

(a) The owner or owners of record of a lot or lots for which a Preliminary Development Plan is sought, when such a Preliminary Development Plan is sought to benefit a single lot or a limited group of lots.

Sec. 10-3.705(3). **Pre-Application Recommendations**

Payment of fees required to reimburse the Town for the cost of conducting the Planning Commission public meeting.

The applicant shall submit the following to make the preliminary development review meaningful:
(a) A completed pre-application form of a content specified by the Planning Director;

(b) A preliminary geology and soils report for the entire project site, prepared by a licensed soils engineer, which shall include an assessment of the project site's general geologic and soils characteristics and an assessment of the development suitability of the entire project site. The preliminary geology and soils report shall also include, at a minimum, the general boundaries and anticipated depth of any areas determined to be areas of slide, soil creep, or other geotechnically unstable areas;

(c) A topographic map entitled "Preliminary Development Plan" including the project site, and generally delineating existing conditions and attributes of the project site, and including the following information:

1. The boundaries of the project site as defined by the outermost property lines of the project site and including all existing property lines interior to the outermost property lines of the project site;

2. Existing topographic contour lines based on Mean Sea Level Datum and delineated at elevation intervals of five feet (5');

3. The general location of all major tree stands and of all heritage trees;

4. All tree and vegetation canopies;

5. All existing buildings, structures, and other improvements to the land, including roadways, driveways, pedestrian ways, above grade and below grade utility lines, and including for each building, structure, or other improvement to the land, the owner's name and building site address;

6. All existing recorded and prescriptive easements, including, but not limited to, access, utility, and open space easements;

7. All proposed parks, open space, and access easements;

8. All primary and secondary ridgelines;

9. The boundaries of all primary and secondary ridge zones;

10. The proposed building envelope(s) for all proposed buildings, structures, and other improvements to the land;

11. The proposed vehicular circulation system for the project site, including both public and private roadways, driveways, and pedestrian ways; and

12. Estimated traffic generation as it effects streets within and in the vicinity of the proposed development;

(d) A conceptual grading plan showing the general location and volume of all proposed cuts and fills and the general locations, heights, lengths, and widths of retaining walls. The conceptual grading plan shall include the location, grades, widths and types of improvements proposed for all on and off-site roads, driveways, parking areas, pedestrian ways, bicycle paths and utilities;
(e) A conceptual landscape plan designed to preserve, whenever possible, existing vegetation and to screen all proposed buildings, structures, and other improvements to the land, from off-site views;

(f) Photographs of the site including: a) close-up; b) mid-range; and c) distant views; and

(g) Any additional information determined by the Planning Director necessary for the review of the proposed Preliminary Development Plan.

Sec. 10-3.705(4). Review of Preliminary Development Plan

The review of the Preliminary Development Plan Pre-Application shall not be subject to the time limitations as set forth in the California Government Code.

Noticing procedures shall be in accordance with the California Government Code, and supplemented with the posting of a twelve (12) square foot sign on the property in a location of greatest visibility to surrounding properties.

The Planning Commission shall review and comment on a Preliminary Development Plan after one or more public meetings on the Preliminary Development Plan. No findings shall be made for the preliminary development plan.

Sec. 10-3.706. R-1-H PRECISE DEVELOPMENT PLAN

Sec. 10-3.706(1). Purpose and Intent

The purpose of the Precise Development Plan is to establish the precise location of all buildings, structures, roadways, pedestrian ways, and other improvements to the land and the precise boundaries and alignments of pedestrian, equestrian, and open space easements. The approval of a Precise Development Plan shall precede the approval of a Tentative Tract Map, if required, and Design Review for all uses of the land within the R-1-H Zoning District. The Precise Development Plan shall be in substantial conformance with the approved Preliminary Development Plan.

Sec. 10-3.706(2). Meeting with Open Space Committee

Prior to submission of a Precise Development Plan Application, the applicant shall meet with the Open Space Committee at a scheduled public meeting to discuss subject property.

Sec. 10-3.706(3). Initiation of a Precise Development Plan

A Precise Development Plan shall be initiated by the following:

(a) The owner or owners of record of a lot or lots for which an Precise Development Plan is sought, when such a Precise Development Plan will benefit a single lot or a limited group of lots.

Sec. 10-3.706(4). Application Requirements.

An application for a Precise Development Plan shall include, at a minimum, the following:

(a) A completed application form of a content specified by the Planning Director;

(b) A completed environmental information work sheet of a content and form specified by the Planning Director;
(c) Payment of fees for the review and processing of an R-1-H Precise Development District, in a fashion, manner and rate as may be prescribed by the Town Council;

(d) A report prepared by the Open Space Committee summarizing the discussion with the applicant regarding subject property;

(e) A topographic map entitled "Proposed Precise Development Plan", prepared by a licensed civil engineer or licensed land surveyor, and including the project site and all lands lying within one hundred horizontal feet (100') of the boundaries of the project site, whether under the ownership of the applicant or not, delineating existing conditions and attributes of the project site, delineating the following information:

1. The boundaries of the project site as defined by the outermost property lines of the project site and including all existing property lines interior to the outermost property lines of the project site;

2. The existing property lines of all lots located within one hundred horizontal feet (100') of the project site;

3. The proposed interior property lines, if any;

4. Construction level detail of the design and location of all functional use areas such as roadways, landscaped areas, open space areas, building envelopes, bicycle and pedestrian circulation;

5. Existing topographic contour lines based on Mean Sea Level Datum and delineated at elevation intervals of five feet (5');

6. The boundaries of all geotechnical constraints of the project site as may be described in the soils report as required by Section 10-3.706(4)(f);

7. All existing trees having a trunk circumference, measured two feet (2'-0") above the lowest existing ground level at the base of the tree, of twenty-four (24") or greater, and indicating the botanical and common name of the tree(s);

8. All tree and vegetation canopies;

9. All existing buildings, structures, and other improvements to the land, including roadways, driveways, pedestrian ways, and above grade and below grade utility lines, and including for each building, structure, or other improvement to the land, the owner's name and building site address;

10. All existing recorded and prescriptive easements and all proposed easements, including, but not limited to, access, utility, and open space easements, on which development or other improvement of the land, is restricted or unrestricted;

11. All proposed parks;

12. All primary and secondary ridgelines;

13. The boundaries of all primary and secondary ridge zones;

14. Estimated traffic generation as it affects streets within and in the vicinity of the proposed development;
(15) The metes and bounds description of the outermost property lines of the project site;

(16) Proposed topographic contour lines based on Mean Sea Level Datum and delineated at elevation intervals of five feet (5');

(17) The proposed building envelope(s) for all proposed buildings, structures, and other improvements to the land;

(18) The proposed vehicular circulation system for the project site, including both public and private roadways, driveways, and pedestrian ways; and

(19) Roadway improvements with spot center line elevations at least every 100 horizontal feet;

(f) An updated, detailed, construction level, soils report, prepared by a licensed soils engineer. The report shall certify that the proposed building sites, roads and other improvements indicated on the Precise Development Plan can be reasonably and safely developed as shown. All unstable areas shall be identified with appropriate recommendations for stabilization addressed in the report. Before an application for approval of a Precise Development Plan is accepted as complete, the Planning Director and Public Works Director shall review and accept the report;

(g) Construction plan showing detailed grading, including the volume of all proposed cuts and fills, drainage, sewer, water and other utilities. The construction plan shall set forth the types, sizes, weight, and number of pieces of construction equipment and vehicles intended to be used in improving the property, specifying the route to be used to deliver equipment to the site, number of workers, and parking provisions for worker's vehicles, how and where equipment vehicles will be stored on site, and the anticipated length of time needed to complete improvements;

(h) Plans for the location, grades, widths and types of improvements proposed for all on and off-site streets, driveways, parking areas, pedestrian ways, bicycle paths and utilities;

(i) A detailed landscaping plan for subdivision improvements and grading. The landscape plan shall show the following:

(1) Location, number and name of all existing and proposed trees, shrubs and ground cover;

(2) Adequacy of the landscaping to screen all proposed buildings, structures, and other improvements to the land, from off-site views; and

(3) An irrigation plan to preserve, whenever possible, existing vegetation. With the irrigation plan, the applicant shall provide estimates of the size of the plants after 5 years of growth and at maturity, and information on the ideal environment and maintenance requirements for the plants;

(j) A detailed statement, indicating the phases of construction proposed for the entire development, including the duration and the timing of each phase on plans submitted.

(k) Statement of provisions for ultimate ownership, C.C. and R's and maintenance of all parts of the development, including suitable deed covenants providing for continuing use of property for local open space purposes, streets, roadways, and structures;

(l) For any hillside or ridge parcel, which is served by an existing roadway, the Town will prepare, and the applicant will pay for, a study of the existing road conditions. The study will include
recommendations for improvements which are consistent with Policies 10.1 through 10.3 of the Circulation Element of the San Anselmo General Plan;

(m) Photographs of the site including: a) close-up; b) mid-range; and c) distant views; and

(n) Any additional drawings or information which are required by the Planning Director to determine compliance with the San Anselmo General Plan and Municipal Code.

The Planning Director may waive any of the preceding application requirements, if, in the Director’s opinion, the information is unnecessary or unreasonable for a specific application. Such items and the reason why they were waived shall be explained in the staff report to the Planning Commission.

Sec. 10-3.706(5). Review of R-1-H Precise Development Plan

The Planning Commission shall review and act upon the Precise Development Plan after one or more public hearings on the Precise Development Plan by the Planning Commission.

Sec. 10-3.706(6). Required Findings for R-1-H Precise Development Plan

Approval, which may include the imposition of conditions, of a Precise Development Plan shall be made only after the making of all of the following findings:

(a) That the Precise Development Plan protects and preserves the natural and existing land forms and vegetation of the hillside and ridges, water courses, and any unique habitats located on the property;

(b) That the precise grading plan is designed to retain the natural and existing features of the land, that cuts and fills are minimized, and that all graded areas are rounded and contoured to blend with the existing topography;

(c) That both on-site and off-site roadways are structurally suitable and adequate to carry projected traffic, and that the proposed development will not generate traffic which cannot be adequately accommodated by the roadway network outside the project area;

(d) That the intensity of development will not have the potential to make a residential street traffic dominated;

(e) That building site locations and the access to said building sites are selected to minimize visibility of the development from the remainder of the community, and are geologically stable.

(f) That development is located so as to be screened by portions of the site where existing topography provides screening or by existing woodlands. Development within existing woodlands may be allowed if tree removal is minimal;

(g) That landscaping is provided to screen, maintain or improve the overall visual quality of the project as it relates to the community; that said landscaping stabilizes erodible soil; and that said landscaping camouflages the visually harsh aspects of improvements such as cuts, fills, and retaining walls. That the type and character of plant materials employed in said landscaping are reasonably related to plants in the surrounding areas. That said landscape plans demonstrate a recognizable pattern or theme for the overall development by choice and location of plant varieties;

(h) That pedestrian easements are provided where pedestrian facilities are not contained within streets. That continued use of established local trails and trails associated with the accepted County wide Trails Plan is preserved;
(i) That where developable land exists beyond the development being considered, that road easements and dedications are provided to the appropriate bodies. That such easements are to the same standards as other public roads within the development;

(j) That where developments include dedication of public open space, or that where developments abut existing public open space, that access to said public open space is provided for the public, including public emergency, and public open space management vehicles and equipment;

(k) That construction, if any, within the ridge zone meets the following findings:

   (1) That any construction within the ridge zone is permitted only when the applicant has demonstrated to the satisfaction of the Planning Director and the Planning Commission that construction outside of the ridge zone would be detrimental with respect to soil and geologic conditions, vegetation removal, drainage and such other factors as are determined to be pertinent; and

   (2) That construction allowed within the ridge zone, under this Article, is kept to a low visual profile, the acceptance of which shall be determined in the Design Review process;

(l) That the Precise Development Plan does not adversely affect the health or safety of persons in or adjacent to the area or endanger property located in the surrounding area;

(m) That the Precise Development Plan is in conformance with the San Anselmo General Plan, with specific reference to the applicable sections of the General Plan; and

(n) That each individual phase of development, as well as the total development, can exist as an independent unit.

Sec. 10-3.707. TENTATIVE MAP

(a) Tentative parcel and tract maps and final parcel and tract maps shall be processed in accordance with Chapter 2 of Title 10 of the San Anselmo Municipal Code.

(b) A Tentative Map prepared on lands within the R-1 H zoning district shall be submitted after Planning Commission approval of the Precise Development Plan and shall be in substantial compliance with the approved Precise Development Plan.

(c) A Tentative Map prepared on lands within the R-1 H zoning district shall contain the following information in addition to that required by Chapter 2 of Title 10 of the San Anselmo Municipal Code:

   (1) Lands to be offered for dedication as public open space.

   (2) Public access and trail easements across private property.

   (3) All lands to be held in any sort of undivided ownership.

   (4) Emergency and through access easements.

(d) An Improvement Plan shall be prepared in accordance with Chapter 2 of Title 10 of the San Anselmo Municipal Code and reviewed by the Planning Director for conformance to the approved Precise Development Plan. When there are conflicts between the Improvement Plan and the approved Precise Development Plan that cannot be resolved with the applicant, or there are significant changes that warrant consideration, the Planning Director shall refer the Improvement Plan to the Planning Commission for review and approval.
Sec. 10-3.708.  CONDITIONAL USE PERMIT

Sec. 10-3.708(1).  Purpose and Intent

The purpose of a conditional use permit is to allow for the review of a specific use or uses to ensure that the use is compatible with surrounding land uses and to allow, if necessary, the imposition of conditions to ensure the use or uses comply with the intent of this Ordinance.

Sec. 10-3.708(2).  Initiation of a Use Permit

A Use Permit may be initiated by any of the following:

(a)  The owner or owners of record of a lot or lots for which a Use Permit is sought; or

(b)  The Town Council, when such Use Permit is required for activities taken on behalf of the Town. The initiation of a Use Permit by the Town Council may be either upon the Council's initiation, or by recommendation of the Planning Director or the Planning Commission.

Sec. 10-3.708(3).  Application Requirements

An application for a Use Permit shall include, at a minimum, the following:

(a)  A completed application form of a content specified by the Planning Director;

(b)  A completed environmental information work sheet of a content and form specified by the Planning Director; and

(c)  Payment of fees for the review and processing of a Use Permit, in a fashion and manner as may be prescribed by the Town Council.

Sec. 10-3.708(4).  Review of Use Permit

A use permit may be acted upon either by 1) the Planning Director; or 2) after the Planning Commission conducts one or more public hearings on the use permit.

The following identifies which use permit applications may be acted upon by the Planning Director and which use permit applications shall be acted upon by the Planning Commission:

(a)  Planning Director

   (1)  Accessory Use, when such a use is very low in scale, will not cause a significant increase in intensity of use of the property, and will not alter the primary use of the facility.

   (2)  Outdoor Storage and Display of Merchandise, Plants, and Street Furniture based upon one of the following:

      (a)  Within the "C" Districts, the outdoor display and sale of merchandise for a limited time period, not exceeding thirty (30) consecutive days and not exceeding more than thirty (30) days in any one calendar year; and

      (b)  Within all Districts, the outdoor placement of plants and street furniture on public or private property in limited quantity which, in the opinion of the Planning Director will not hinder the free use of the public sidewalk. Such plants and street
furniture shall not bear signs, price tags, or other indications that the plants or street furniture is for sale or rent.

The Planning Director may refer any of the above to the Planning Commission if, in the opinion of the Planning Director, review by the Commission is desirable.

(b) Planning Commission

All other use permit applications not identified in Section 10-3.708(4)(a) of the San Anselmo Municipal Code.

Should a property require more than one planning application, and should any of those applications require Planning Commission review, then all planning applications associated with the property shall require Planning Commission review.

Sec. 10-3.708(6). Required Findings for Use Permit

Approval of a Use Permit, which may include the imposition of conditions, shall be made only after the making of the following findings:

(a) The establishment, maintenance, or operation of the use 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 the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town.

In addition to the foregoing finding, special findings shall be made for certain Districts or uses, as follows:

(b) Self-Service Gasoline Stations - All Districts:

The granting of the use permit will not adversely affect the public health, safety, or welfare by either diminishing the availability of minor emergency health and safety services, including rest rooms and minor automobile repair.

(c) Limited Commercial (C-L) District - All Uses Requiring a Use Permit:

The granting of the use permit will not allow a use which generates traffic at a rate greater than fifty (50) vehicle trip ends for each 1,000 gross square feet of gross leasable building area and which does not add any additional traffic volume on Sir Francis Drake Boulevard during the AM and PM peak commuting periods.

(d) Second Units - Single Family Residential (R-1) Districts:

Those additional findings listed in Section 10-6.303 of the San Anselmo Municipal Code.

Sec. 10-3.709. VARIANCE

Sec. 10-3.709(1). Purpose and Intent

The purpose of a variance is to allow for deviations from development standards set forth in the Development Standards Table, referred to as Table 4A, of the San Anselmo Municipal Code.
Sec. 10-3.709(2). Initiation of a Variance

A Variance may be initiated by the following:

The owner or owners of record of a lot or lots for which a Variance is sought.

Sec. 10-3.709(3). Application Requirements

An application for a Variance shall include, at a minimum, the following:

(a) A completed application form of a content specified by the Planning Director;

(b) A completed environmental information work sheet of a content and form specified by the Planning Director; and

(c) Payment of fees for the review and processing of a Variance, in a fashion and manner as may be prescribed by the Town Council.

Sec. 10-3.709(4). Review of Variance

A Variance may be acted upon by either 1) the Planning Director; or 2) after the Planning Commission conducts one or more public hearings on the Variance. The following identifies which Variance applications may be acted upon by the Planning Director and which Variance applications shall be acted upon by the Planning Commission:

(a) Planning Director

The list of administrative variances, which require discretionary action by the Planning Director, is included in the Minor Intrusions Into Required Residential Development Standards Table, referred to as Table 4B.

The Planning Director may refer any of the above to the Planning Commission if, in the opinion of the Planning Director, review by the Commission is desirable.

Should a property require more than one planning application, and should any of those applications require Planning Commission review, then all planning applications associated with the property shall require Planning Commission review.

(b) Planning Commission

All other Variance applications not identified in the Minor Intrusions Into Required Residential Development Standards Table, referred to as Table 4B.

Sec. 10-3.709(5). Required Findings for a Variance

Approval of a Variance, which may include the imposition of conditions, shall be made only after the making of all of the following findings:

(a) Due to special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the controlling zoning ordinance or regulation deprives the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification, and the granting of the variance will not constitute a grant of special privileges
inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated; and

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

Sec. 10-3.710. DESIGN REVIEW

Sec. 10-3.710(1) Purpose and Intent

The purpose of Design Review is to minimize adverse effects of poor or inappropriate exterior design of improvements to real property by providing for the review of the design of certain buildings and improvements hereafter constructed in the Town.

Poor or inappropriate exterior design of improvements to real property adversely affects the health, safety, and welfare of the residents of the Town by creating conditions which:

(a) Endanger the lives of persons using adjacent streets and property;
(b) Decrease property values in the surrounding area or the Town as a whole;
(c) Impair the comfort and well-being of the persons using such real property; and/or
(d) Are aesthetically incompatible with adjacent real property.

The intent of Design Review is to ensure the above adverse effects are eliminated or minimized through the imposition, if necessary, of conditions that cause the improvements to comply with the intent of this Ordinance.

The Town shall seek to encourage creativity and variety in design by the review established by the provisions of this chapter. The term "improvement", as used in this section, shall be liberally interpreted and shall include the construction, alteration, and repair of all buildings, structures, access structures, and facilities on real property and appurtenances thereto.

No improvement subject to design review shall thereafter be constructed, located, repaired, altered, or thereafter maintained, except with a design approved in accordance with Section 10-3.711 of the San Anselmo Municipal Code.

Sec. 10-3.710(2) Initiation of Design Review

Design Review may be initiated by any of the following:

(a) The owner or owners of record of a lot or lots for which Design Review is sought; or
(b) The Town Council, when such Design Review is required for activities taken on behalf of the Town. The initiation of Design Review by the Town Council may be either upon the Council's initiation, or by recommendation of the Planning Director or the Planning Commission.

Sec. 10-3.710(3) Application Requirement

Any person or entity proposing to construct or locate in the Town an improvement subject to design review hereunder shall file an application for Design Review with the Planning Department.
An application for Design Review shall include, at a minimum, the following:

(a) A completed application form of a content specified by the Planning Director;

(b) A completed environmental worksheet of a content and form specified by the Planning Director;

(c) Payment of fees for the review and processing of Design Review, in a fashion and manner as may be prescribed by the Town Council;

(d) Site plan;

(e) Exterior elevations;

(f) Color and Material Samples; and

(g) Any other information deemed necessary, such as story poles, by the Planning Director.

Sec 10-3.710(4) Review of Design Review

Design Review may be acted upon either by 1) the Planning Director; or 2) after the Town Planning Commission conducts one or more public hearings on the design review.

The following identifies which design review applications shall be acted upon by the Planning Director and which design review applications shall be acted upon by the Planning Commission:

(a) Planning Director

Any minor modifications to existing buildings, structures or improvements such as: awnings, canopies, windows, doors, color changes, other modifications similar to the above.

The Planning Director shall refer any of the above to the Planning Commission if, in the opinion of the Planning Director, review by the Commission is desirable.

Should a property require more than one planning application, and should any of those applications require Planning Commission review, then all planning applications associated with the property shall require Planning Commission review.

(b) Planning Commission

(1) The Planning Commission shall review the design of all exterior improvements to be constructed in the Town, with the exception of those listed in Section 10-3.710(4)(a) of the San Anselmo Municipal Code.

(2) The Planning Commission shall review the design of all exterior improvements to be constructed by public school districts and other governmental agencies to the extent permitted by law or by the agencies involved. Following such review, the Commission shall submit a written report of its recommendations and comments to the body proposing to construct the improvement.

(3) The Planning Commission shall review the design of all exterior improvements to be constructed by the Town. A report and recommendations as to those improvements to be constructed by the Town shall be advisory only.
Additions or repairs to any existing improvement shall not be subject to design review if the exterior thereof is not to be altered.

Sec. 10-710(5) Required Findings for Design Review

Approval of design review, which may include the imposition of conditions, shall be made only after the making of the following findings.

(a) Commercial and Residential Design Review:

(1) Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area;

(2) Provides for protection against noise, odors, and other factors which may make the environment less desirable;

(3) Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area;

(4) Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel; and

(5) Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.

In making these findings, the Planning Director or Planning Commission shall consider the size, proportions, use, type, and quality of materials; architectural features and ornamentation; night lighting; color application; signs; site placement of all features; existing and proposed landscaping and topography; existing and proposed open spaces and paved areas; screening devices; and other matters and elements deemed to be pertinent to the criteria set forth in this section.

In addition to the foregoing findings, special findings shall be made for certain districts or uses as follows:

(b) Residential Design Review

In addition to the requirements of Section 10-3.710(5)(a) of the San Anselmo Municipal Code, Residential Design review shall be subject to the following findings:

(1) Conformance to the approved precise development plan;

(2) Adequacy of screening;

(3) Selection of architectural features and colors that enable the structure to blend with its environment and which results in a low visual profile.

For R-1-C, R-1 and R-3 properties, the level of compliance shall be less stringent than that required for R-1-H properties if the Planning Commission, in making its review, is able to quantify the extent of any reduced adverse impact the application has on the Town, as a whole, when compared with the impact of the development of a parcel zoned R-1-H.
Sec. 10-3.711. Public Hearings

A public hearing shall be conducted as prescribed by the State of California Government Code, as may be amended from time to time, for the following:

(a) Zoning Ordinance Amendments;
(b) Preliminary Planned Districts;
(c) Specific Planned Districts;
(d) R-1-H Precise Development Plans;
(e) Tentative Maps;
(f) Conditional Use Permits;
(g) Variances;
(h) Design Review

Public hearings shall be conducted by the Planning Director, the Planning Commission, or the Town Council, as appropriate to the specific discretionary action, for all discretionary actions established by this Chapter.

Sec. 10-3.712. NOTICING

Sec. 10-3.712(1) Notice of Public Hearings

Notice of all public hearings shall be given in accordance with the State of California Government Code, and shall include at least one of the following:

(a) Notice of the hearing shall be mailed or delivered at least ten (10) days prior to the hearing to the owner of the subject real property or the owner’s duly authorized agent, and to the project applicant.

(b) Notice of the hearing shall be mailed or delivered at least ten (10) days prior to the hearing to each local agency expected to provide water, sewage, streets, roads, schools, or other essential facilities or services to the project, whose ability to provide these facilities and services may be significantly affected.

(c) Notice of the hearing shall be mailed or delivered at least ten (10) days prior to the hearing to all owners of real property as shown on the latest equalized assessment roll within three hundred feet (300') of the real property that is the subject of the hearing. If the number of owners to whom notice would be mailed or delivered pursuant to this paragraph is greater than 1,000, notice may be given by placing a display advertisement of at least one-eighth page in one newspaper of general circulation within the Town at least ten days prior to the hearing.

(d) A notice shall be posted at least ten (10) days prior to the public hearing in at least three (3) public places within the Town, including one public place in the area directly affected by the hearing.

(e) The notice shall include, at a minimum, the date, time, and place of the public hearing, the identity of the hearing body or officer, a general explanation of the item to be considered, and a general description, in either text or diagram, of the location of the real property, if any, which is the subject of the hearing.

Sec. 10-3.712(2) Noticing of Zoning Applications that are Acted Upon by the Planning Director

In addition to the required State of California Government Code noticing requirements, notice of the hearing shall be mailed or delivered at least ten (10) days prior to the hearing to the Planning Commission.
Sec. 10-3.713. EXPIRATION OF APPLICATIONS

When one or more public hearings have been conducted on any application for discretionary action, and the application has been referred to the applicant for revision, additional information, or other information, and the applicant does not provide the requested revision, additional information or other information to the Planning Department, within ninety (90) days of the date of the request, the application shall be deemed withdrawn.

Sec. 10-3.714. FINAL APPROVAL OF DISCRETIONARY ACTIONS

Any discretionary action as described in this Chapter, except Zoning Ordinance Amendments, Preliminary Planned Development Districts, and Specific Planned Development Districts, shall be final ten (10) calendar days following the date of approval by the Planning Director or the Planning Commission, whichever is applicable, unless the action of the Planning Director or the Planning Commission is appealed to the Planning Commission or Town Council in the manner prescribed in Sections 1-4.01 and/or 10-1.05 of the San Anselmo Municipal Code.

Sec. 10-3.715. APPEAL OF DISCRETIONARY DECISIONS

Discretionary actions may be appealed by following the procedures described in Section 1-4.01 of the San Anselmo Municipal Code.

Sec. 10-3.716. DURATION OF APPROVAL

Unless otherwise provided for in this Chapter, if an activity or development which has received discretionary approval has not begun within one year from the date of the final action, the permit shall become null and void. The date of final action shall be either ten calendar days following the date of action by the Planning Director, the Planning Commission or the Town Council, whichever is last.

Sec. 10-3.717. RENEWAL OF A DISCRETIONARY ACTION

A discretionary action previously approved by the Planning Director, the Planning Commission, or Town Council for which the improvement permitted by the discretionary action has not been used or accomplished may be renewed by the Planning Director for a maximum period of one (1) year provided that prior to the expiration of the discretionary action, the applicant submits a written statement to the Planning Director showing good cause, which shall be reviewed in accordance with the provisions set forth for discretionary actions as set forth in Article 7 of Title 10 of the San Anselmo Municipal Code.

Sec. 10-3.718. REVOCATION OF A DISCRETIONARY ACTION

A discretionary action approved by the Planning Director, the Planning Commission, or Town Council may be revoked in any case where conditions of approval have not been or are not being complied with. The revocation of a discretionary action shall occur following the conducting of a public hearing by the discretionary authority having the final discretion on the particular action. The public hearing or hearings shall be conducted as prescribed by the State of California Government Code and Section 10-3.712(1) of the San Anselmo Municipal Code.
ARTICLE 8. DEFINITIONS

Sec. 10-3.801. Purpose and Intent

It is the purpose and intent of this Article to define certain words and phrases utilized in this Chapter.

Access Way: A route which provides a means of approaching.

Accessory Building: A building detached from the primary building on the same lot and which is necessary for the operation or use of the lot or primary building, and which is incidental and subordinate to the primary use of the lot or to the primary building. That portion of a residential garage or carport, whether attached or detached, and which provides covered area greater than that necessary to park vehicles of a number in excess of that required to serve the use, as required by Article 5 of Chapter 3 of the San Anselmo Municipal Code, shall be considered an accessory building. A storage shed, whether prefabricated or constructed on-site, shall be considered an accessory building. Also includes "Accessory Structure".

Accessory Structure: Refer to "Accessory Building".

Accessory Use: Use of a lot or building which is incidental and subordinate to the primary use of the lot or of a building and which is located on the same lot with the primary use of the lot or building.

Acreage, Gross: The total horizontal area within the lot lines of a lot before public streets, easements, or other areas dedicated or reserved for public use are deducted from such lot. Also includes "Gross Acreage".

Acreage, Net: The total horizontal area within the lot lines of a lot excluding all public and private streets and ways. Also includes "Net Acreage".

Addition: A building added to and attached to the original building after completion of the original building.

Alcohol, Off-Sale: The selling of alcoholic beverages, including beer, wine, and liquor, for off-site consumption.

Alcohol, On-Sale: The selling of alcoholic beverages, including beer, wine, and liquor, for on-site consumption.

Alcoholism and/or Drug Treatment Facility, Large: A state licensed facility as defined in Health and Safety Code Section 11834.11 providing 24-hour residential non-medical support services in a group setting for seven (7) or more adults, mothers over 18 years and their children, and emancipated minors recovering from alcoholism and/or drug abuse.

Alcoholism and/or Drug Treatment Facility, Small: A state licensed facility as defined in Health and Safety Code Section 11834.11 providing 24-hour residential non-medical support services in a group setting for six (6) or fewer adults, mothers over 18 years and their children, and emancipated minors recovering from alcoholism and/or drug abuse. A small alcoholism and/or drug treatment facility, consisting of six (6) or fewer persons, is a state mandated residential use.

Alley: A public way or permanent private way which affords only a secondary means of access to a lot or parcel abutting said way.

Amusement, Places of: A commercial business, conducted either within a building or outdoors, devoted to amusement activities, including bowling alleys, video arcades, and pool halls.
Antenna: Any device used to transmit or receive electromagnetic waves, including television, short-wave radio, ham radio, and satellite television dishes.

Apartment: Any building, or portion of a building, which is designed for residential use, the occupants of which pay rent and do not own the individual dwelling units. Does not include condominiums or stock cooperatives.

Architectural Features: Projections or appurtenances, having a maximum exterior projection of two feet (2'-0") on buildings which provide visual variation and/or relief, but do not serve as living or working space and do not add floor area. Architectural features may include, but not be limited to chimneys, cornices, canopies, bay windows, greenhouse windows, and eaves.

Automobile: A four-wheeled passenger vehicle propelled by an internal combustion engine.

Automobile Sales: A business whose primary activity is the sale of motor vehicles.

Automobile Service and Repair: A business whose primary activity is the servicing and repair of motor vehicles, but does not include the dispensing of automotive fuel.

Automotive, Gasoline Service Station, Full-Service: A business whose primary activity is the supply of gasoline, diesel fuel, and minor services such as oil, air, and water to motor vehicles wherein the driver of the motor vehicle does not leave the vehicle. The business may also include the repair of motor vehicles.

Automotive, Gasoline Service Station, Self-Service: A business whose primary activity is the supply of gasoline, diesel fuel, and minor services such as oil, air, and water to motor vehicles wherein the driver of the motor vehicle has the discretion of dispensing gasoline, diesel fuel, and minor services without assistance from the business operator. The business may also include the repair of motor vehicles.

Average Slope: The average slope of a lot shall be the ratio between the net difference in elevation between the upper and lower property lines.

Bakeries, Commercial: A business whose primary activity is the baking of breads, cakes, and cookies, but which may also include the on-site sale of baked goods.

Bank: A business whose primary activity is the handling of financial transactions.

Bar: A building, or portion of a building, used primarily for the sale and dispensing of liquor by drink. Also includes "Cocktail Lounge" and "Tavern".

Basement: An enclosed space, finished or unfinished, partly or wholly below natural grade, having more than one-half (1/2) its height, as measured from its floor, whether finished or unfinished, to its ceiling, whether finished or unfinished, below the adjoining natural grade. If the finished floor located immediately above the basement is more than six feet (6'-0") above the adjoining grade the basement shall be considered a story.

Bay Window: A window which projects from the face of a building and which does not serve as living or working space and does not add floor area and which has a bottom sill no less than two feet (2'-0") above the adjoining finished floor.

Bed and Breakfast Inn: A facility offering transient lodging to the general public and conducted in a private single family detached residential unit, or in a building designed specifically for the operation of such
an inn, and providing sleeping rooms, private or semi-private bathroom facilities, and one or more meals each day.

**Bedroom:** A room capable of serving as a room for sleeping as may be more precisely defined by the Uniform Building Code.

**Bicycle:** A vehicle consisting of a metal frame mounted upon two wire spoked wheels with rubber tires, a seat, handlebars for steering, and two pedals, and does not include a motor. Also includes unicycles and tricycles.

**Bicycle Sales and Repair:** A business whose primary activity is the sale and repair of bicycles.

**Building Envelope:** The horizontal and vertical area of a lot in which a building or other improvements may be constructed as defined by either the established development standards set forth in each District, or by the Planning Director, the Planning Commission, or the Town Council as associated with specific action upon a master plan, use permit, variance, preliminary development plan, precise development plan, or design review.

**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 on the roof, ridge, or parapet wall including all chimneys and antennas (television, radio, and satellite). Public utility transmission and distribution lines are not included in this definition. Also includes "Structure Height".

**Building:** Any structure having a roof supported by columns or walls.

**Building Site:** The area of a lot where buildings are to be constructed.

**CC & R:** Codes, Covenants and Restrictions

**Car Wash:** A business whose primary activity is the washing of motor vehicles.

**Carport:** An attached or detached building covered by a solid or lattice roof and supported by posts, poles, or walls and having one or more permanently open sides, and intended for the off-street parking of motor vehicles.

**Child Care Center:** Refer to "Day Care Center".

**Church:** A building, or group of buildings which are primarily intended for the conducting of organized religious services and associated activities and uses.

**Club, Fraternal or Service:** A group of people organized for a common purpose to pursue common goals, interests, or activities and usually characterized by certain membership qualifications, payment of fees or dues, regular meetings, and a constitution or bylaws. Also includes "Private Club".

**Cocktail Lounge:** Refer to "Bar".

**Commercial, Drive Through:** A business whose patrons may conduct business from within a motor vehicle.

**Commercial, Outdoor Sales:** A business which includes the display and sale of products, goods, and services outside of a building.

**Communications Equipment Building:** A building, or a portion of a building, housing electrical, mechanical, or computer equipment necessary for conducting the business of a public utility communications business, and which may or may not require personnel.
Community Care Facility: A state licensed facility maintained and operated to provide residential care, day treatment, adult day care, foster family home or foster family agency services for children, adults, or children and adults, including the physically handicapped, mentally impaired or disordered, incompetent persons, and abused or neglected children. Refer also to "Residential Care Facility".

Computers, Sales and Repair: A business whose primary activities are the sale and repair of computers.

Condominium: An estate in real property consisting of an undivided interest in common in portions of a parcel of real property together with a separate interest in a dwelling or commercial building situated on such real property. A condominium may include, in addition, an interest in other portions of such real property.

Contingent: Conditional

Convalescent Home: A facility licensed by the State Department of Public Health, the State Department of Social Welfare, or the County of Marin, which provides bed and ambulatory care for patients with post-operative convalescence, chronic illness, dietary problems, and persons unable to care for themselves, but not including alcoholics, drug addicts, or persons with mental or contagious diseases or afflictions. Also includes "Nursing Home" and "Skilled Nursing Home".

Covered Deck: Refer to "Deck, Covered".

Day Care Center: Any state licensed facility of any capacity, other than a Large Family or Small Family Day Care Home, in which less than 24-hour per day non-medical care, protection, and supervision is provided for children in a group setting, which includes infant center, childcare center, nursery school, preschool, and extended day care facility. Also includes "Child Care Center".

Day Care, Large Family Day Care Home: A home which regularly provides care, protection, or supervision of seven (7) to twelve (12) children, under the age of eighteen (18) years, and including children under the age of ten (10) who reside at the home, in the provider's own home for periods of less than twenty-four (24) hours per day, while the parents or guardians of the children are away.

Day Care, Small Family Day Care Home: A home which regularly provides care, protection, or supervision of six (6) or fewer children, under the age of eighteen (18) years, and including children under the age of eighteen (18) who reside at the home, in the provider's own home for periods of less than twenty-four (24) hours per day, while the parents or guardians of the children are away. A small family day care home is a state mandated residential use of the property.

Deck, Covered: A deck over which is constructed a solid or lattice roof supported by posts, poles, or walls. Also includes "Covered Deck".

Deck: An exterior living space which has a finished floor surface 30" or more above natural grade. Other typical attributes of a deck include finished floor surfaces of wood, tile, or concrete, one or more permanently open sides, and railings.

Delineate: To draw or outline accurately.

Density, Maximum: The maximum number of residential units which may be constructed on any one lot based on the maximum Gross Density permitted in the Zoning District, as guided by the Land Use Element of the General Plan, regardless of the size of the lot.

Density: The ratio between the number of dwelling units and the size of a lot.
Department Store: A large retail store arranged in departments for the sale of a variety of consumer goods.

Discretionary Project: A project subject to evaluation by one or more individuals.

Drug Treatment and/or Alcoholism Facility: Refer to "Alcoholism and/or Drug Treatment Facility, Large and/or Small".

Duplex: Refer to "Residential, Single Family Attached".

Dwelling Unit: Refer to "Residential Unit".

Eaves: Roof projections which extend beyond the exterior wall plane of a building.

Entertainment, Places of: Refer to "Amusement, Places of".

Entrance, Primary: The primary entrance to a building.

Equipment Rental: A business whose primary activity is the renting of tools, equipment, and other devices.

Fence: A vertical barrier of any material, or combination of materials, constructed to enclose or screen a lot or a portion of a lot. Also includes "Wall".

Financial/Real Estate Services: A category of businesses and services including banks, savings and loan associations, thrifts, real estate brokerages, land title companies, escrow companies, and stock and bond offices.

Floor Area Ratio (FAR): The ratio between the total floor area of a building or buildings located on a lot and the area of that lot in gross square feet.

Floor Area, Total: The sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or perimeters of horizontal surfaces if such horizontal areas are partially or wholly unenclosed.

Foster Family Home: A state licensed residential facility providing 24-hour care for six (6) or fewer foster children, which is zoned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the children have been placed.

Garage, Commercial: Refer to "Automobile Service".

Garage, Parking: Refer to "Parking Garage, Commercial".

Garage, Residential: A detached or attached accessory building or structure designed for the parking of motor vehicles belonging to or used by the occupants of the residential unit.

Gasoline Station: Refer to "Automotive, Gasoline Service Station, Full-Service" and "Automotive, Gasoline Service Station, Self-Service".

General Plan: The General Plan of the Town of San Anselmo adopted by the Town Council.

Government Facilities: Refer to "Institutional Use".

Gross Acreage: Refer to "Acreage, Gross".

Group Dwelling: Refer to "Group Home".
Group Home: Refer to "Residential Care Facility".

Height: Refer to "Building Height".

Home for the Aged: Refer to "Convalescent Home".

Home Occupation: A business, profession, or non-profit organization conducted by the principal resident or residents of a residential unit, subject to the following conditions: 1) not more than one person who is not a principal resident of the residential unit shall be employed; 2) to be conducted wholly within the main residence, and not conducted within a garage, carport, or accessory structure; 3) shall not increase vehicular traffic on the street on which the residential unit is located by more than four (4) individual visits per day, and which does not increase parking demands on the street on which the residential unit is located; 4) shall not include outdoor display, storage, or signage; and 5) shall not create noise levels exceeding levels permitted by Chapter 7 of Title 4 of the San Anselmo Municipal Code, and which does not create dust, vibration, odor, smoke, fumes, glare, electrical interference, fire hazards, or other hazards, nuisances, or disturbances.

Hospital: An institution providing primary health services and medical or surgical care to people, primarily inpatients, suffering from illness, disease, injury, deformity, and other physical and mental conditions, and including, as an integral component of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel: A business whose primary activity is the offering of transient lodging accommodations to the general public and providing additional related services such as restaurant, meeting room, and recreation facilities. Also includes "Motel".

Incidental Use: Refer to "Accessory Use".

Institutional Use: A public or quasi-public use of a lot or building including government offices, schools, utility facilities, parks, libraries, fire stations, social service organizations, and social services, whether funded by public taxes or private donations.

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.

Lot Coverage: The land area covered by all buildings and improvements with a finished height above grade of three feet (3'-0") or more, including all projections with the exception of roof eaves which project less than two feet (2'-0") from the face of a building.

Lot, Corner: A lot bounded by two (2) or more streets, ways, or access easements. The shortest boundary line which borders said street, way, or access easement shall constitute the front lot line.

Lot, Key: Any lot with all or part of one of its side boundary lines contiguous to an adjoining rear lot line.

Lot, Nonconforming: refer to Non-Conforming Lot.

Mail Service: A business whose primary activity is providing postage and delivery of letters and packages.

Manufactured Structure: Refer to "Residential, Manufactured Structure".

Maximum Density: Refer to "Density, Maximum".
Mini-Warehouse: A building containing separate spaces of like or varying sizes which are leased or rented on an individual basis and used for the temporary storage of goods and materials.

Minimum Average Lot Width: Refer to "Lot Width, Minimum Average".

Minimum Lot Street Frontage: Refer to "Lot Width, Minimum Street Frontage".

Mobile Home: Refer to "Residential, Manufactured Structure".

Motel: Refer to "Hotel".

Motorcycle: A vehicle with two tires in tandem propelled by an internal combustion engine.

Motorcycle Sales: A business whose primary activity is the sale of motorcycles.

Motorcycle Service and Repair: A business whose primary activity is the servicing and repair of motorcycles, but does not include the dispensing of automotive fuel.

Natural Grade: The top or upper most surface of the ground prior to human intervention or modification.

Net Acreage: Refer to "Acreage, Net".

Non-Conforming Building: A building, or portion of a building, which was constructed, or structurally altered, in a manner consistent with land use regulations and development standards in effect at the time of the construction or structural alteration but which does not conform to the current development standards of the District in which it is located. Also includes "Non-Conforming Structure".

Non-Conforming Lot: A lot existing lawfully at the time of the adoption of the Zoning Ordinance or amendment, but which does not conform to the lot area, width, access or other development standards of the applicable zoning district.

Non-Conforming Structure: Refer to "Non-Conforming Building".

Non-Conforming Use: A use of the land which was begun in a manner consistent with land use regulations and development standards in effect at the time of the initial use but which does not conform to the current land use regulations of the District in which it is located.

Nursery: A business whose primary activity is the selling of plant and landscape materials and supplies.

Nursery School: Refer to "Day Care Center".

Nursing Home: Refer to "Convalescent Home".

Office, Medical: An office or building containing offices in which licensed medical professionals provide health and dental services and medical or surgical care to people, and which may include, as an integral component of the office, related facilities such as laboratories and pharmacies.

Office, Professional: An office or building containing offices in which business is conducted.

Open Space, Private: A lot, or a portion of a lot, privately owned and designated for private use, to be preserved in a natural or naturalized state through an appropriate instrument.
Open Space, Usable: Open space which has sufficient horizontal and vertical dimensions to allow for active or passive use in a fashion and manner comparable to traditional residential back yard space or public park space.

Outdoor Display: The display of products or merchandise outside of a building and located so as to be visible from streets, roads, or sidewalks.

Parcel: Refer to "Lot".

Parking Garage, Commercial: A public or private parking garage used for the commercial business of parking motor vehicles for periods not exceeding twenty-two (22) hours during any one day. Also includes "Garage, Parking".

Parking Lot: A lot or portion of a lot designed exclusively for the parking of motor vehicles and paved with a permanent all weather surface as may be approved by the Public Works Director.

Parking Lot, Commercial: A public or private parking lot used for the commercial business of parking motor vehicles for periods not exceeding twenty-two (22) hours during any one day.

Parking Space: An area designed for the parking of motor vehicles having unobstructed access to a public street, way, or access easement at all times, and having a minimum width of nine feet (9'-0"), a minimum length of nineteen feet (19'-0"), and a minimum vertical clearance of seven feet (7'-0"), and either within a garage or carport, or uncovered, and paved with a permanent all weather surface as may be approved by the Public Works Director.

Pediatric Day Health and Respite Care Facility: A state licensed facility which provides an organized program of therapeutic social and day health activities and services and limited 24-hour in-patient respite care for medically fragile children twenty-one (21) years of age or younger, including terminally ill and technology dependent children.

Pharmacy: A business whose primary activity is the preparing and dispensing of prescription drugs.

Planning Commission: The Planning Commission of the Town of San Anselmo

Planning Director: The Planning Director of the Town of San Anselmo

Pre-School: Refer to "Day Care Center".

Primary Building: A building which houses the primary use of the lot.

Private Club: Refer to "Club, Fraternal or Social".

Professional, Dental: A business whose primary activity is the dispensing of dental care and services to people.

Professional, Medical, Day Treatment Center: A business whose primary activity is the dispensing of medical care and services and including emergency care and out-patient surgical services.

Professional, Medical: A business whose primary activity is the dispensing of medical services to people.

Professional, Optician: A business whose primary activity is the manufacturing and selling of eye glasses.

Professional, Optometrist: A business whose primary activity is the dispensing of medical services for eye care to people.
Professional, Real Estate: A business whose primary activity is the sale of property and improvements.

Professional, Veterinary: A business whose primary activity is the dispensing of veterinary medical and dental care and services to animals.

Projections: Portions of buildings and architectural features which extend beyond the primary exterior building wall plane.

Property Line, Front: The property line extending across the full street frontage of a lot between the side property lines and typically defined as the narrower of the lot’s dimensions.

Property Line, Rear: The property line extending across a lot’s rear between the side property lines and parallel to the lot’s front property line.

Property Line, Side: The property lines extending along the entire length of a lot between the front and rear property lines and typically defined as the longer of the lot’s dimensions.

Public Works Director: The Public Works Director of the Town of San Anselmo

Residential Care Facility, Large: Any use of a residential unit serving seven (7) or more persons on a twenty-four (24) hour per day basis. Also includes "Group Dwelling".

Residential Care Facility, Small: Any use of a residential unit serving six (6) or fewer persons on a twenty-four (24) hour per day basis. A small residential care facility is a state mandated residential use of the property. Also includes "Group Dwelling".

Residential Care Facility for Persons with a Chronic Life-Threatening Illness, Large: A state licensed residential care facility for seven (7) or more persons with a chronic life threatening illness eighteen (18) years or older as defined in Health and Safety Code Section 1568.01.

Residential Care Facility for Persons with a Chronic Life-Threatening Illness, Small: A state licensed residential care facility for six (6) or fewer persons with a chronic life threatening illness eighteen (18) years or older as defined in Health and Safety Code Section 1568.01. A small residential care facility for persons with a chronic life-threatening illness is a state mandated residential use of the property.

Residential Care Facility for the Elderly, Large: A state licensed care facility located in a residential unit for the voluntary care, supervision, and provision of support services for seven (7) or more persons 60 years of age and for younger persons with compatible needs.

Residential Care Facility for the Elderly, Small: A state licensed care facility located in a residential unit for the voluntary care, supervision, and provision of support services to six (6) or fewer persons 60 years of age and for younger persons with compatible needs. A small residential care facility for the elderly is a state mandated residential use of the property.

Residential Unit: A building, or portion of a building, designed for occupancy as living quarters by one household and having no more than one (1) kitchen and at least one (1) bathroom. A residential unit may be either detached, attached, multi-family, or may be a manufactured structure. A dwelling unit may be owned, either wholly or as part of a condominium or stock cooperative, or may be rented as an apartment. Also includes "Dwelling Unit".

Residential, Manufactured Structure: A residential unit constructed off-site and delivered and installed on a lot. Also includes "Residential, Mobile Home".

Residential, Mobile Home: Refer to "Residential, Manufactured Structure".
Residential, Multi-Family: A building having four or more independent and attached residential units.

Residential Second Unit: An additional living unit on a lot within an R-1 District. The criteria for defining a residential second unit shall be the existence of separate cooking facilities, not merely the addition of bathrooms or bedrooms. Also includes "Second Unit".

Residential, Single Family Attached: A building containing two or three independent and attached residential units. Also includes "Duplex" and "Triplex".

Residential, Single Family Detached: A detached residential unit.

Rest Home: Refer to "Convalescent Home".

Restaurant: Any business establishment engaged in the retail sale of food and drinks which are consumed primarily on the premises. "Restaurant" shall not include establishments which are primarily fast food restaurants.

Restaurant, Fast Food: A restaurant whose operation involves the on-site preparation and sale of foods, or the on-site heating and sale of pre-prepared foods, intended for consumption either on-site or off-site. Attributes typically, but not necessarily associated with fast food restaurants include customer food orders and customer food pick-ups at a counter, no waters/waitresses, a lack of ambiance, limited on-site seating, and drive-through order placing and pick-up facilities.

Restaurant, Take-Out: A restaurant whose operation includes the primary sale of prepared food items and drinks for consumption off-site. Food and drink items which are not prepared for consumption are not included in this definition. Examples include: Pizza which is not yet baked.

Ridge Line, Primary: The line described by connecting the uppermost elevation along a primary ridge, as such ridge is delineated by the General Plan.

Ridge Line, Secondary: The line described by connecting the uppermost elevation along a secondary ridge, as such ridge is delineated by the General Plan.

Ridge Zone: That area of a primary or secondary ridge on both sides of the ridge line which has an elevation fifty feet (50') or less of the elevation of the ridgeline when measured perpendicularly from the nearest point of the ridgeline or which lies within one hundred feet (150') when measured perpendicularly from the ridge line, whichever results in a lower elevation.

Ridge: Those specific primary and secondary ridges delineated by the General Plan.

Savings and Loan: A business whose primary activity is the handling of financial transactions.

School, Preschool: Refer to "Day Care Center".

School, Private: A school operated by a private agency or organization which serves as an alternative to public education for kindergarten through twelfth grade or as a technical training school.

School, Public: A school operated by a public agency under provisions of the California Education Code.

School, Religious: A school whose curriculum focuses on religious or spiritual teachings associated with texts recognized as sacred by the congregation of the religious organization operating the school.

Second Unit: Refer to "Residential Second Unit".
Service Station: Refer to "Automotive, Gasoline Service Station, Full-Service" and "Automotive, Gasoline Service Station, Self-Service".

Setback: A distance established by the provisions of this Chapter to govern the placement of buildings and other improvements on lots with respect to property lines, streets, ways, or access easements.

Sign, Exterior: Any outdoor display of advertising material in any form placed or mounted upon any building, freestanding structure, or natural object.

Sign, Pole: Any sign, mounted upon a pole, post, or other similar free standing vertical structure, which includes letters, words, logos, or pictures intended to identify or advertise a business or advertise merchandise or products of a business.

Sign, Wall: Any sign, mounted upon a wall of a building which includes letters, words, logos, or pictures intended to identify or advertise a business or advertise merchandise or products of a business.

Sign, Window: Any sign, mounted upon the exterior or interior of a window, or mounted behind a window so as to be visible from a sidewalk, street or road, which includes letters, words, logos, or pictures intended to identify or advertise a business or advertise merchandise or products of a business.

Skilled Nursing Home: Refer to "Convalescent Home".

Slope, Average: Refer to "Average Slope".

Story: That portion of a building between any floor and the floor next above, except that the topmost story of a building shall be that portion included between the topmost floor and the top surface of the roof above the topmost floor.

Street Frontage: That portion of a lot or parcel, typically a property line, which is parallel to and adjoining a public street or way, or access easement.

Street: A public way or permanent private access easement which functions as and affords a primary means of access to two or more lots.

Structural Alteration: Any change in the supporting members of a building, including but not limited to, bearing walls, shear walls, retaining walls, columns, beams, girders, floor joists, ceiling joists, or roof rafters.

Structure Height: Refer to "Building Height".

Structure: Any improvement constructed or erected so as to project thirty inches (30") or more above the level of the adjoining grade, including, but not limited to, buildings, retaining walls, and decks. Fences shall also be considered structures if the height of the fence is greater than six feet (6'-0") above the level of the adjoining existing grade. Patios, walls, and similar improvements which have a finished height less than thirty inches (30") above the existing grade shall not be considered structures. For the purposes of computing the heights of structures and fences, the existing grade shall be the lower of:

(a) The existing ground surface or;

(b) The elevation of the existing grade at the time the application for construction of the structure is made.
Studio: A business whose activity includes the creation, display, or sale of items of art.

Tavern: Refer to "Bar".

Temporary Use: A use of a lot, or a portion of a lot, for which the temporary use is deemed to be of short duration. The duration of the temporary use shall be commensurate with the scope of the temporary use. Examples of temporary uses include the selling of Christmas trees, garage sales, and construction trailers during the construction of a building or structure.

Tool Repair, Commercial: A business whose primary activity is the repair of commercial instruments used or worked by hand or machinery.

Town Council: The Town Council of the Town of San Anselmo.

Town: The Town of San Anselmo

Transportation Services, Bus Depots:

Triplex: Refer to "Residential, Single Family Attached".

Trip Ends: A total count of the round trips generated by vehicles entering and leaving a property.

Use, Accessory: Refer to "Accessory Use".

Use: The purpose for which a lot, or a building located on a lot, is designed, designated or maintained.

Use, Nonconforming: Refer to "Nonconforming Use."

Utility Substation: A facility, operated by a public or private company whose business it is to deliver water, gas, electricity, telephone, cable television, or other public utility services which is necessary for the distribution of the service but in which the service is not produced.

Wall, Retaining: A structural wall designed to retain earth.

Water Tank: A tank, which may be constructed below grade or wholly or partially above grade in which is stored water for domestic consumption or irrigation.

Wholesale Distribution: A business whose primary activity is the housing of goods for sale in quantity to retailers.

Windmill: A mechanical device powered by the wind which is designed to generate electricity either for the lot on which the windmill is located or for sale.

Xeriscape: Landscaping showing a dry view.

Zoning Ordinance: The Zoning Ordinance of the Town of San Anselmo as contained in Chapter 3 of the San Anselmo Municipal Code.
URGENCY ORDINANCE NO. 917

Exhibit 'B'

The following Sections are proposed to be deleted from Chapter 3, Title 10, referred to as the Zoning Ordinance:

1. Article 3:
   a) Section 10-3.201(d)  R-4 (General Apartment District)
   b) Section 10-3.201(h)  C-M (Commercial Manufacturing Districts)
   c) Section 10-3.202(a)
   (b)(c)(d)(e)  Combining Districts
   d) Section 10-3.303.  Uncertainty of Boundaries
   portion: "The location of a district boundary may be adjusted within a
   single lot by the application of the variance procedures of this chapter"
   e) Section 10-3.303(d)  Uncertainty of Boundaries

2. Article 4:
   a) Section 10-3.403  "Agency" definition
   b) Section 10-3.408  "Boarding House" definition
   c) Section 10-3.415  "Dwelling Group" definition
   d) Section 10-3.419  "Family" definition
   e) Section 10-3.423  "Helicopter Port" definition
   f) Section 10-3.426  "Junk Yard" definition
   g) Section 10-3.431  "Outdoor Advertising" definition
   h) Section 10-3.432  "Outdoor Advertising Sign or Structure"
   definition
   i) Section 10-3.433  "Outdoor Advertising Structure" definition
   j) Section 10-3.436  "Servant's Quarters" definition
   k) Section 10-3.439  "Stable, Commercial" definition
   l) Section 10-3.440  "Stable, Private" definition
   m) Section 10-3.442  "Street" definition
   n) Section 10-3.445  "Tourist Court" definition
   o) Section 10-3.446  "Trailer" definition
   p) Section 10-3.447  "Trailer Court" definition
   q) Section 10-3.450  "Yard" definition

3. Article 5:
   a) Section 10-3.502(b)  entirety
   b) Section 10-3.503(c)  entirety
   c) Section 10-3.503(d)  entirety
   d) Section 10-3.503(f)  entirety
   e) Section 10-3.503(g)  entirety

4. Article 7:
   a) Section 10-3.702(c)  entirety
b) Section 10-3.703(b) portion: "hospitals, rest homes, sanitariums, administrative offices, professional offices for doctors, dentists, architects, engineers, accountants ... through ... medical and dental clinics."

c) Section 10-3.704(g) entirety

5. Article 8:
   a) Section 10-3.802(c) portion: "clinics"

6. Article 9:
   a) Section 10-3.902(f) entirety

7. Article 10:
   a) Section 10-3.1002(b)(1) portion: "trust companies, bus depots"
   b) Section 10-3.1002(e) entirety

8. Article 11:
   a) Section 10-3.1102(f) entirety

9. Article 12:
   a) Section 10-3.1205(b) entirety
   b) Section 10-3.1209(a) entirety

10. Article 13:
    a) Section 10-3.1302(b) portion: "administrative areas"
    b) Section 10-3.1305(c) portion: "when any such SPD ... thru ... not be required."

11. Article 14: entirety

12. Article 15: entirety

13. Article 16: entirety

14. Article 17: entirety

15. Article 18: entirety

16. Article 19:
    a) Section 10-3.1905(c) portion: "M"

17. Article 20:
    a) Section 10-3.2001 portion: "A use permit shall not ... thru ... to the Council."
    b) Section 10-3.2002 portion: "... and shall be accompanied ... thru ...
       ...resolution"
c) Section 10-3.2004 portion: "... and that granting ... thru ...
petitioner"

18. Article 21:
   a) Section 10-3.2101(b) entirety
   b) Section 10-3.2104(a) portion: "Notice shall be ... thru ...
immediately."

19. Article 24: entirety