

**TOWN OF SAN ANSELMO
ORDINANCE NO. 986**

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING TITLE 10, CHAPTER 3 ZONING, ARTICLE 2 DESIGNATION AND ESTABLISHMENT OF DISTRICTS, SECTION 10-3.201(J); ARTICLE 3 LAND USE REGULATIONS, SECTION 10-3.1305(C) AND TABLE 3A LAND USE REGULATIONS TABLE

Section 1.

WHEREAS, a Draft Negative Declaration was prepared and published with the notice of the General Plan Land Use Element Amendment and the Zoning Ordinance Amendments in a newspaper of general circulation for the required 20-day noticing period; and

WHEREAS, the Planning Commission held duly noticed public hearings on June 2, 1997, and July 7, 1997, to consider the Negative Declaration, the proposed General Plan Land Use Element Amendment, and the proposed Zoning Ordinance Amendments, at which time they considered the staff report and public testimony, and recommended approval to the Town Council; and

WHEREAS, the Town Council held a duly noticed public hearing on July 8, 1997, at which time they considered the staff report, public testimony, the Planning Commission minutes of June 2, 1997, an oral report of the July 7, 1997 Planning Commission determination, and approved the Negative Declaration (Exhibit 1A), adopted a Resolution of Approval for the General Plan Land Use Element Amendment, and introduced an Ordinance for the Zoning Ordinance Amendments; and

WHEREAS, the Town Council held a duly noticed public hearing on July 22, 1997, at which time they considered the staff report, public testimony, the Planning Commission minutes of June 2, 1997, and July 7, 1997, and adopted an Ordinance for the Zoning Ordinance Amendments.

NOW, THEREFORE, the Town Council does hereby find that:

The Zoning Ordinance amendment in its entirety is in compliance with all the provisions of the Town of San Anselmo General Plan; specifically, that the Ordinance amendment will provide an effective threshold for traffic generated by the properties located in the C-L zoning district, and conditionally permit the uses of: 1) gasoline station and 2) gasoline station/convenience market in the C-L zoning district.

Section 2.

THEREFORE, THE TOWN OF SAN ANSELMO DOES ORDAIN that Title 10, Chapter 3 Zoning, Article 2 "Designation and Establishment of Districts", Section 10-3.201 (j), Article 3 "Land Use Regulations", Section 10-3.1305(c), and Table 3A "Land Use Regulations Table" of the San Anselmo Municipal Code be amended as follows (existing text to be deleted is in 'strike-out' format, and proposed text to be added is in 'underline' format):

a) **Title 10, Chapter 3 Zoning, Article 2 "Designation and Establishment of Districts, Section 10-3.201(j):**

. . . The Land Use category was developed . . . 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. Those uses permitted will typically be low traffic generators or generate an equal or lesser number of trips during the a.m. and p.m. peak hours than the existing uses as of July 22, 1997 (the determination for vacant buildings will be the most recent use between February 26, 1991, and July 22, 1997) on Sir Francis Drake Boulevard. Those numbers of traffic trips typically generated will be obtained from the current edition of Trip Generation, Institute of Transportation Engineers. . . . Examples of some of the uses specifically prohibited within the District are fast-food restaurants . . . and convenience food stores which are not in combination with a gasoline station.

b) **Title 10, Chapter 3 Zoning, Article 3 Land Use Regulations, Section 10-3.1305(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 1) fifty (50) vehicle trips 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 a.m. and p.m. peak commuting periods. or 2) the existing number of trips during the a.m. and p.m. peak hours generated by the existing use as of July 22, 1997 (the determination for vacant buildings will be the most recent use between February 26, 1991 and July 22, 1997) on Sir Francis Drake Boulevard. Those numbers of traffic trips typically generated for existing and proposed uses shall be obtained from the current edition of Trip Generation, Institute of Transportation Engineers.

c) **Title 10, Chapter 3 Zoning, Article 3 Land Use Regulations, Table 3A Land Use Regulations Table**

c) Title 10, Chapter 3 Zoning, Article 3 Land Use Regulations, Table 3A Land Use Regulations Table

LAND USE REGULATIONS TABLE
TABLE 3A

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

LAND USES	DISTRICT	R-1-H	R-1-C	R-1	R-2	R-3	P	C-1	C-2	C-L	C-3
Automotive, Gasoline and with Convenience Market-		-	-	-	-	-	-	-	(1)(3)(4)C		(3)(4)C
Automotive, Gasoline, Full and Self Service		-	-	-	-	-	-	-	(1)(3)(4)C		(3)(4)C
Automotive, Gasoline, Service Station, Full and Self Service		-	-	-	-	-	-	-			(3)(4)C
Automotive, Gasoline — Service Station, — Full Service											(3)(4)C
Automotive, Gasoline — Service Station, — Self Service											(3)(4)C
Automotive, Rental		-	-	-	-	-	-	-	-	-	C
Automotive, Sales		-	-	-	-	-	-	-	-	-	C
Automotive, Service and Repair		-	-	-	-	-	-	-	-	(1)C	C
Automotive, Wash		-	-	-	-	-	-	-	-	-	C

Notes:

- (1) In addition to the findings required for the approval of a use permit as set forth in Section 10-3.1305(a) of the San Anselmo Municipal Code, an additional finding must also be made as set forth in Section 10-3.1305(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 10-3.1305(a) of the San Anselmo Municipal Code, an additional finding must also be made as set forth in Section 10-3.1305(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 10-3.1305 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 10-3.1305(a) of the San Anselmo Municipal Code, an additional finding must also be made as set forth in Section 10-3.1305(d) of the San Anselmo Municipal Code.

Section 3.

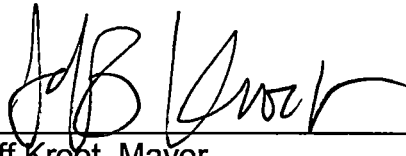
This ordinance amendment will become effective on August 21, 1997, 30 days following the adoption of this amendment by the Town Council.

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo on July 22, 1997, by the following vote:

AYES: Breen, Chignell, Hodgens, Kroot


NOES: None

ABSENT: Overberger



Jeff Kroot, Mayor.

ATTEST:



Debbie Stutsman, Town Clerk