

**TOWN OF SAN ANSELMO
ORDINANCE NO. 1000**

AN ORDINANCE OF THE TOWN OF SAN ANSELMO CHANGING THE ZONING DESIGNATION FOR A PORTION (15,607 SQ. FT.) OF A/P 7-097-05 ADJACENT TO A/P 7-097-04 (269 REDWOOD ROAD), SAN ANSELMO, FROM R-1-H VERY LOW DENSITY RESIDENTIAL DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

WHEREAS, an application was filed with the Town of San Anselmo requesting a Lot Line Adjustment that will transfer land from A/P 7-097-05 (zoned R-1-H) to A/P 7-097-04 (zoned R-1); and

WHEREAS, the newly expanded lot known as A/P 7-097-04 (269 Redwood Road) will total 41,075 sq. ft. which does not meet the minimum one acre requirement for R-1-H zoning; and

WHEREAS, it is inappropriate and contrary with the General Plan to have two separate zoning districts on one parcel of land; and

WHEREAS, a single zone of R-1 zoning for the expanded 41,075 sq. ft. property has been recommended by staff; and

WHEREAS, the Planning Commission held a hearing on the rezoning Ordinance on November 16, 1998, as well as discussed this issue at their meetings of April 20, 1998, June 15, 1998, and July 20, 1998 where they heard comments from staff, the applicants, and interested neighbors; and

WHEREAS, the Town Council held a hearing to introduce the rezoning Ordinance on November 24, 1998, and a hearing to adopt the rezoning Ordinance on December 8, 1998, as well as discussed this issue at their meetings of September 8, 1998 and October 27, 1998 at which time they heard comments from staff, the applicants, and interested neighbors.

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

Section 1. That the findings required for the approval of an R-1 zoning district for 15,607 sq. ft. of land to be added to A/P 7-097-04 (269 Redwood Road) have been made as follows:

Per Section 10-3.805, 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.

The General Plan designates the property, proposed for rezoning, as Residential – Very Low Density. This designation translates to a minimum of one unit per acre. Transference of a 15,607 sq. ft. portion of this land to the adjoining R-1 zoned property, developed with a single family house, is in conformance with the General Plan provided that a deed restriction is recorded at the time of map recordation that restricts the overall density to one unit. Therefore, the applicant is required to record a deed restriction that generally states that:

Development of A/P 7-097-04 (or as may be reassigned by the County Assessor) at 269 Redwood Road is limited to one living unit.

Such deed restriction will ensure that the overall density envisioned by the General Plan will not be exceeded.

Rezoning to R-1 is also contingent upon the recordation of the Lot Line Adjustment Tentative Map that will merge the two areas into a single 41,075 sq. ft. property with an existing single family house.

Section 2. This Ordinance hereby changes the zoning district designation from R-1-H Residential – Very Low Density to R-1 Single Family as shown on Exhibit A for the 15,607 sq. ft. portion of land identified by the Assessor of the County of Marin as A/P 7-097-05, subject to: a) recordation of the Lot Line Adjustment Tentative Map for the Lands of Boesel and the Land of Hildebrand prepared by Lawrence Doyle dated 1/23/98; and b) at the time of map recordation, a deed restriction shall also be recorded for the newly expanded lot generally stating that "Development of A/P 7-097-04 (or as may be reassigned by the County Assessor) at 269 Redwood Road is limited to one living unit."

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo at a regularly scheduled meeting on December 8, 1998, by the following roll call vote:

AYES: Chignell, Hodgins, Kroot, Overberger


NOES: None

ABSENT: Breen



Paul Chignell, Mayor

ATTEST:


Debra Stutsman, Town Clerk

