

**TOWN OF SAN ANSELMO  
RESOLUTION NO. 3222**

**A RESOLUTION OF THE TOWN OF SAN ANSELMO AMENDING THE LAND  
USE ELEMENT OF THE GENERAL PLAN TO ALLOW THE CONSTRUCTION  
OF POTABLE WATER WELLS AS A TEMPORARY ALTERNATIVE TO THE  
PUBLIC WATER SYSTEM**

**WHEREAS**, the Planning Commission of the Town of San Anselmo has considered a General Plan Amendment to revise Policies 12.2 and 13.2 of the Land Use Element to allow the construction of potable water wells; and

**WHEREAS**, the Planning Commission held six public hearings on April 6, May 4, July 20, August 17, October 19, and November 2, 1992 to consider this amendment and has considered the recommendation of the Planning staff, and testimony of members of the public; and

**WHEREAS**, the Town Council held a public hearing on this General Plan Amendment on December 8, 1992, at which time the General Plan Amendment was introduced; and

**WHEREAS**, the Town Council received input from the Planning Commission, Town of San Anselmo staff, and testimony from the members of the public.

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

1. Under Section 65358(a) of the State Planning and Zoning Law, a legislative body may amend all or part of an adopted general plan, if it is deemed to be in the public interest.

Water Code Section 13801 of the State of California provides that if a city fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the State Water Resources Control Board shall be enforce after February 14, 1990, by the city and have the same effect as if adopted as a city ordinance.

Policies contained in the Land Use Element of the San Anselmo General Plan require new development to connect to a public system, thereby precluding the alternative of constructing a potable water well. Therefore, an amendment to these policies has been proposed by the Planning Commission to enable new development to be served by a potable water well until water supplied by the Marin Municipal Water District is available.

Based on the Mitigated Negative Declaration prepared for this General Plan Amendment and various safeguards prescribed in the Water Well Ordinance, such as meeting quality, quantity, and fire suppression standards, it is deemed that adoption of this Amendment is in the public interest.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that Policies 12.2 and

13.2 of the Land Use Element of the General Plan are amended as follows:

Policy 12.2 To require all new development within the Town to be served by the public fire protection system and, where feasible, the public water and sewer system.

Policy 13.2 New homes shall hook into MMWD's system where feasible.

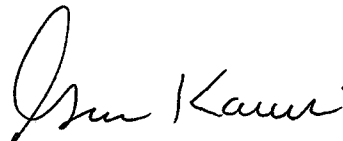
If a water moratorium exists or public water cannot be provided, owners may construct potable water wells for new homes in accordance with the San Anselmo Municipal Code but shall connect to MMWD for their sole potable water supply as soon as water supplied by MMWD is available.

I hereby certify that the foregoing Resolution was duly and regularly adopted by the San Anselmo Town Council at a regular meeting thereof held on the 22nd day of December 1992, by the following vote:

AYES: Breen, Chignell, Kanis, Yarish, Zaharoff

NOES: none

ABSENT: none



Gus Kanis, Mayor

ATTEST:



Caroline Foster, Town Clerk