

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3337**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN
ANSELMO AMENDING THE GENERAL PLAN TEXT TO ALLOW
RESIDENTIAL USES IN THE "LIMITED COMMERCIAL" AND "GENERAL
COMMERCIAL" LAND USE DESIGNATED AREAS**

WHEREAS, the Planning Commission and Town Council of the Town of San Anselmo updated the Housing Element in June 1995, which encourages the expansion of residential uses into all the commercial zones for affordable housing purposes; and

WHEREAS, the Housing Element Update was certified by the Department of Housing and Community Development on November 17, 1995; and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 20, 1995, and December 18, 1995, to consider the proposed General Plan Amendment at which time they considered the staff report and public testimony; and

WHEREAS, the Town Council held a duly noticed public hearing on January 23, 1996, to consider the proposed General Plan Amendment at which time they considered the recommendation of the Planning Commission, the staff report, and public testimony.

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

"Housing Element Program 2.2.1: Amendments to the General Plan and Zoning Ordinance. The Town will seek to reduce constraints upon development of affordable housing projects that pertain to general plan policy and zoning ordinance requirements.

Action: The Town will initiate General Plan Amendments and possible rezoning of property based on recent experience with affordable housing infill applications in commercial areas. Permitting residential uses in commercial zones where housing is presently excluded will be considered. The Town will initiate Zoning Ordinance amendments to establish flexible parking standards for special needs housing (e.g., seniors, developmentally disabled) and mixed use infill development as opposed to case-by-case variances for such projects."

California Government Code Section 65358 (a) states, "If it deems it to be in the public interest, the legislative body may amend all or part of an adopted general plan." Furthermore, this chapter of the Government Code requires special findings on any general plan which limits housing units.

Thus, the Town Council finds that a General Plan amendment to allow residential uses in the Limited Commercial and General Commercial designated areas will enhance opportunities for housing and will be in the public interest of the Town.

THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo hereby amends the Limited Commercial and General Commercial discussion of the General Plan shown in the following section bold face, underlined type:

b. General Commercial

The General Commercial land use designation is expected to provide for a wide range of commercial activities. These types of activities include supermarkets, food stores, retail activities, automobile service and repair, laundries, offices, restaurants, nurseries, and commercial services. Businesses in these areas would not rely on foot traffic for their traffic. The majority of the businesses in these areas should be required to provide onsite parking for their customers. However, in some situations, common parking facilities or special parking onstreet programs may be authorized.

Residential use will be allowed in the general commercial area. Residential uses can be provided for in a single structure, or may be mixed with commercial activity in a single structure; the ground floor of every building should be utilized for commercial or commercial-related uses. However, the Town will consider the entire use concept for a building before determining the appropriate use of the ground floor.

The concentration of commercial development in the General Commercial area will not be as great as it is in the commercial core. Commercial buildings in these areas may be more spread out and separated by offstreet parking spaces. Floor area ratios within the General Commercial could have FAR up to 1.5. The height of building in this category is to be compatible with surrounding buildings, but shall not exceed 35 feet in height. The only exceptions would be existing buildings which are greater than 35 feet in height.

c. Limited Commercial

The areas designated as Limited Commercial on the General Plan Land Use map will be regulated as to the intensity of commercial development allowed thereon. It is intended that commercial development allowed for on these properties will be low traffic generators, or that the traffic generated by these commercial activities will not conflict with peak-hour traffic movements on Sir Francis Drake Boulevard. Examples of uses which are expected to be low traffic generators include specialized enterprises such as furniture and antique stores, specialty boutiques, bookstores, art galleries, and personal services such as barber shops and beauty shops. The types of commercial activity which will not be allowed in the he Limited Commercial area include fast-food restaurants, quick-stop food stores, and medical office types of uses and services.

The determination as to whether or not a commercial use would be allowed within this Limited Commercial area will be based upon the total number of traffic trips generated by that business and how said traffic trips (including turning movements) are expected to affect the flow of traffic along Sir Francis Drake Boulevard. Commercial uses which will disrupt the flow of traffic on Sir Francis Drake Boulevard, or uses which would have a detrimental effect on the residential neighborhoods adjacent to Sir Francis Drake Boulevard will not be allowed. The intent of this limited Commercial area is to ensure that

the businesses which operate within this area will not be disruptive to the flow of traffic on the boulevard or the nearby residential neighborhood.

Residential use will be allowed in the limited commercial area. Residential uses can be provided for in a single structure, or may be mixed with commercial activity in a single structure; the ground floor of every building should be utilized for commercial or commercial-related uses. However, the Town will consider the entire use concept for a building before determining the appropriate use of the ground floor.

The concentration of commercial development in this area is expected to be lower than in the Central and General Commercial districts. Floor area ratios could be up to 1.0 within this area, and building heights are to be compatible with buildings in the surrounding area, but shall not exceed 35 feet in height.

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo on January 23, 1996, by the following vote:

AYES: Breen, Chignell, Kroot, and Yarish

NOES: None

ABSENT: Hodgens



Peter Breen, Mayor

ATTEST:


Debbie Stuttsman, Town Clerk