

Ord 1083
Terra Linda Shopping
Center

ORDINANCE NO. 1083

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SAN RAFAEL, CALIFORNIA, ADOPTED BY REFERENCE BY SECTION 14.15.020 OF THE MUNICIPAL CODE OF SAN RAFAEL, CALIFORNIA, SO AS TO PREZONE PORTIONS OF THE TERRA LINDA COMMUNITY SERVICE DISTRICT TO ZONING DISTRICTS WHICH ARE COMPARABLE TO EXISTING ZONING IN THE AREA.

THE COUNCIL OF THE CITY OF SAN RAFAEL DO ORDAIN AS FOLLOWS:

DIVISION 1: The Zoning map of the City of San Rafael, California, adopted by reference by Section 14.15.020 of the Municipal Code, is amended by reclassifying those portions of the Terra Linda Community Service District to zone districts which are comparable to existing zoning in the area and which zoning and areas are more particularly described as follows:

(a) From County R-1 District to R1B1-CSD (Single Family Residential minimum building site area 7,500 square feet - Community Service) District those properties described as County Assessor's Parcels: 178-011-01 thru 07, 12; 178-012-00 thru 14; 178-013-01 thru 14, 31, 32; 178-021-01 thru 07; 178-022-01 thru 11; 178-028-01 thru 12; 178-031-01 thru 06, 08, 09; 178-032-02 thru 04, 06 thru 10, 12, 13; 178-041-01 thru 08, 23, 24, 25, 32 thru 43, 47, 48, 55; 178-091-01, 02, 03, 05; 178-092-31 thru 36; 178-093-01, 34; 178-094-01 thru 04; 178-102-10 thru 18; 178-141-00, 02, 09; 178-142-01, 20 thru 35; 178-143-01 thru 16; 178-144-01, 02; 178-151-01, 02, 03; 178-152-11 thru 16.

(b) From County P-C District to R-1-B-4 (Single Family Residential Minimum Building Site area one acre) District that properties described as County Assessor's Parcel: 178-011-10.

(c) From County P-C District to R1B1-CSD (Single Family Residential minimum building site area 7,500 square feet - Community Service) District that property described as County Assessor's Parcel 178-013-30.

(d) From County R-1-B-D District to R1-CSD (Single Family Residential minimum building site area 5,000 square feet - Community Service) District those properties described as County Assessor's Parcels: 178-013-15 thru 29; 178-014-01 thru 22; 178-023-01 thru 08, 11 thru 27; 178-028-13 thru 20; 178-027-01 thru 06; 178-026-01 thru 12; 178-024-01 thru 09; 178-025-01 thru 14, 17 thru 21; 178-033-01 thru 22; 178-034-01, 02, 03, 06 thru 37; 178-051-05 thru 18, 21, 25, thru 29; 178-061-02 thru 19; 178-062-01 thru 07; 178-063-01 thru 11; 178-092-01 thru 30; 178-093-02 thru 33; 178-101-01 thru 32; 178-102-01 thru 09; 178-103-01 thru 21; 178-111-01 thru 33; 178-112-01 thru 18; 178-113-01 thru 20; 178-121-01 thru 16; 178-122-01 thru 11; 178-123-01 thru 12; 178-124-01 thru 16; 178-125-01 thru 28; 178-131-01 thru 37; 178-132-01 thru 08; 178-133-01 thru 18; 178-142-02; thru 16, 19, 36, 37; 178-181-01 thru 22; 178-182-01 thru 10; 178-183-01 thru 18; 178-184-01 thru 16; 178-191-01 thru 28; 178-192-01 thru 25; 178-193-01 thru 09.

(e) From County P-C to R1-CSD (Single Family Residential minimum building site area 5,000 square feet - Community Service) District those properties described as County Assessor's Parcels: 178-025-15, 16; 178-041-22; 178-051-01, 30, 31, 32; 178-113-21, 22; 178-192-26.

(f) From County R-1-B-2 District to R1B2-CSD (Single Family Residential Minimum Building Site area 10,000 square feet) District those properties described as County Assessor's Parcels: 178-041-09 thru 13, 16, 17, 18, 21, 45, 46, 56, 58, 61 thru 65; 178-151-04 thru 07, 09; 178-152-06 thru 10, 21 thru 25; 178-221-26 thru 31, 34, 35, 37 thru 46, 49 thru 53.

(g) From County P-C District to R1B2-CSD (Single Family Residential minimum building site area 10,000 square feet - Community Service) District those properties described as County Assessor's Parcels: 178-082-03, 04, 05, 08 thru 12; 178-221-58 thru 66.

(h) From County P-C District to P-C (Planned Community) District those properties described as County Assessor's Parcels: 178-101-34, 35, 36, 39, 41 thru 46. Any development of this property shall be subject to the conditions pertaining thereto which are included as a part of a use permit approved by the Planning Commission on October 10, 1972.

(i) From County A-2-B-2 District to R1B2-CSD (Single Family Residential Minimum Building Site Area 10,000 Square Feet) District that property described as County Assessor's Parcel 165-010-49.

(j) From County R-P District to A-P (Administrative-Professional) District that property described as County Assessor's Parcel 165-010-29.

(k) From County A-2 District to R-1-B-4 (Single Family Residential minimum Building Site Area one acre) District those properties described as County Assessor's Parcels: 165-021-04, 06, 07.

DIVISION 2: This zoning shall become effective in accordance with Section 65859 of the Government Code of the State of California.

DIVISION 3: This Ordinance shall be published once in full before its final passage, in the Terra Linda News, a newspaper of general circulation, printed, published and circulated in the City of San Rafael, and shall be in full force and effect thirty (30) days after its final passage.



C. PAUL BETTINI, Mayor

ATTEST:



MARION A. GRADY, City Clerk

The above and foregoing Ordinance No. 1083 was read and introduced at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 20th day of November, 1972, and ordered passed to print by the following vote, to wit:

AYES: Councilmen : Jensen, Miskimen, Mulryan and Mayor Bettini

NOES: Councilmen : None

ABSENT: Councilmen : None

and will come up for adoption as an Ordinance of the City of San Rafael at a

regular meeting of the Council to be held Monday, the 18th day of December, 1972.

Rene Burdiss, Deputy
MARTON A. GRADY, City Clerk

Commissioner Dougan moved, commissioner Kay seconded and the motion carried unanimously (6-0, Garbarino absent), to adopt Resolution No. 19-72 recommending to the City Council that Chapter 14.70 "C.S.D. - Community Service District" be added to the Zoning Ordinance (as per the attached Ordinance which is hereby made a part of the minutes).

G. V A R I A N C E S - none

H. U S E P E R M I T S

UP72-105 COMMERCIAL COMPLEX - 601-669 Del Ganado, to P-C District:

-----APPROVED WITH CONDITIONS-----

This was discussed in conjunction with Pre-Z72-20. The Director indicated that in establishing comparable zoning, the City found that the comparable zoning for the area of the commercial development wherein Scotty's Market is located is a P-C zoning. Under normal procedure, a P-C zoning requires that there be a detailed plan under a Use Permit included with the zoning change. Therefore, the Staff has submitted and recommends this use permit with the series of conditions that are listed in the Staff Report.

There was no discussion on this matter.

Commissioner Dougan moved, Commissioner Kay seconded and the motion carried unanimously (6-0, Garbarino absent) to approve UP72-105 subject to the following:

a) USES

The uses permitted within this center shall be the same as those listed in the C-2 (General Commercial) District. Uses listed in the C-2 District as requiring a use permit shall also require individual use permits in this center.

b) PHYSICAL DEVELOPMENT

The physical development of the property (except for signing which is covered below) shall be limited as it existed at the time of the effective date of this zoning which development is reflected by color slides taken at or about the time of such annexation and which are to be contained in the address file in the San Rafael Planning Department.

Exception:

The physical development noted above may be amended/modified provided such amendments or modifications are approved by the Planning Commission in accordance with the Environmental and Design Review procedures of the Zoning Ordinance.

c) MAINTENANCE PROVISIONS

Recognizing that this center is made up of various ownerships, there is a need to establish or determine that a workable program has been established, for the ongoing maintenance of the areas common to the complex (parking and landscaping). Therefore, prior to the approval of any alteration or modification of the physical improvements or prior to the approval of any use requiring a use permit, an agreement for overall maintenance involving all property owners must be in existence in a form satisfactory to the City Attorney.

d) SIGNS

Signing within this commercial complex shall conform to the sign provisions of the Zoning Ordinance within the time limits specified by those sign provisions.

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- d) SIGNS

Signing within this commercial complex shall conform to the sign provisions of the Zoning Ordinance within the time limits specified by those sign provisions.

GPC72-17

TRANSMISSION LINE EASEMENT IN EAST SAN RAFAEL, P.G. & E., owner, Donald Marquardt, rep., GPC-U District.

-----APPROVED-----

The Director indicated that four years ago, the P. G. & E. had submitted an application to the Planning Commission to approve a transmission line parallel to the existing line to carry more power over the ridge to communities south of San Rafael. Prior to action by the Commission, the