TOWN OF
SAN ANSELMO
EST. 1907

In the Council Chambers and via Zoom at 525 San Anselmo Avenue, San Anselmo, CA 94960

Town Council
Agenda

Tuesday, September 23, 2025 7:00 PM

Meeting held In-Person and via Zoom:

https://us02web.zoom.us/j/86552008832

Or Telephone: +1 669 900 6833 | Webinar ID: 865 5200 8832

How to Submit Comments Before the Meeting: Members of the public are encouraged to submit email correspondence to towncouncil@sananselmo.gov or eComments on the Agendas and Meeting page before the meeting begins.

How to Participate During the Meeting: Members of the public will have the option to speak during the meeting through the Zoom application by using their phone or an electronic device.

For PC, Mac, or smart phone, Use Raise hand function when public comment for an item is requested. It is a button that is located at the top or bottom of your screen, based on your electronic device.

For landline phones, raise hand to be recognized with *9

Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The Town Council regular meeting will not be cancelled if any technical problems occur during the meeting.

Call to Order. Optional Pledge of Allegiance: The Mayor or a designated Council member will recite the Pledge of Allegiance for members of the Council and the public who wish to join in the recitation.

Open time for public expression.

The public is welcome to address the Council at this time on matters not on the agenda that are within the jurisdiction of the Council. Please be advised that pursuant to Government Code Section 54954.2, Council is not permitted to discuss or take action on any matter not on the agenda unless it determines that an emergency exists, or that there is a need to take immediate action which arose

following posting of the agenda. Comments may be no longer than three minutes and should be respectful to the community.

Council requests for future agenda items.

Council committee liaison reports, questions and comments to staff; staff miscellaneous items.

Special Presentation.

Proclamation Honoring Juan Olsen Sanchez for His 36 Years of Service to the San Anselmo Community

1. Consent Agenda:

The opportunity for public comment on consent agenda items will occur prior to Council discussion of the consent agenda. The Council may approve the entire consent agenda with one action. In the alternative, items on the consent agenda may be removed by any Council or staff member, for separate discussion and vote.

1.1 Approval of the Draft Minutes of the Regular Meeting of September 9, 2025
Staff Report (DOC)
Attachment 1- Draft Minutes of the Regular Town Council Meeting of September 9, 2025 (PDF)

1.2 Receive and File the Financial Report on Recreation Fund ending Augusts 31, 2025
Staff Report (PDF)
Attachment 1 - August 2025 Budget Report (PDF)
Attachment 2 - August 2025 Recreation Capital Outlay (PDF)

1.3 Receive and File Revenue and Expenditure Reports, August 2025
Staff Report (DOCX)
Attachment 1 Budget Comparison Report by Subcategory, August 2025 (PDF)
Attachment 2 Budget Comparison Report by Department, August 2025 (PDF)
Attachment 3 Budget Comparison Report by Subcategory Measure J, August 2025 (PDF)
Attachment 4 Budget Comparison Report by Department Measure J, August 2025 (PDF)

1.4 Adopt a Proclamation Declaring National Friends of Libraries Week in San Anselmo, October 19-25, 2025
Staff Report (DOC)
Attachment 1- Proclamation (DOC)

1.5 Approve Notice of Completion for Isabel Cook Community Center Reroof
Staff Report (PDF)
Attachment 1 - ICC Site Images (PDF)
Attachment 2 - Notice to Complete Template (PDF)

1.6 Amending the Master Fee Schedule for the Town of San Anselmo
Staff Report (DOCX)
Attachment 1 -Resolution Amending Photovoltaic Permit Application Fee (PDF)

2. Council Business Items:

In general, the following procedural order applies to items of business:
•Presentation
•Town Council questions
•PUBLIC COMMENT – limited to 3 minutes/person
•Town Council discussion/action

2.1 Review and Approve the Age & Disability Friendly Steering Committee Operational Guidelines. The proposed is exempt from the California Environmental Quality Act (CEQA), under the "common sense" exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs. tit. 14, § 15061).
Staff Report (PDF)
Attachment 1 - Operational Guidelines (PDF)

2.2 Consultant Contract for the Brookside Elementary School Sidewalk Gap Closure Project Phases 2 and 3. This project design is exempt from the California Environmental Quality Act (CEQA) under a Class 6 categorical exemption, because the scope of work consists of data gathering, analysis and preparation of plans and specifications for a project. No construction or alteration will be undertaken. (14 Cal. Code Regs. § 15306). When the plans and specifications are finalized and ready for bidding and construction, a CEQA analysis will be undertaken at that time.
Staff Report (DOC)
Attachment 1- CSW Scope and Cost Proposal (PDF)

2.3 Review the Draft Land Use Map for the General Plan Update. This item is not a "project" under the California Environmental Quality Act (CEQA) because it does not involve an activity that has the potential to cause a direct or reasonably foreseeable physical change in the environment. (Cal. Pub. Res. Code Section 21065).
Staff Report (PDF)
Attachment 1 - Draft Land Use Map (PDF)
Attachment 2 - Draft Land Use Categories (PDF)
Attachment 3 - Draft Reserve Areas Policy (PDF)
Attachment 4 - Community Engagement Summary (PDF)

3. Public Hearing:

In general, the following procedural order applies to public hearing items:
•Staff Presentation
•Town Council Questions
•PUBLIC COMMENT – limited to 3 minutes/person
•Town Council discussion/action

3.1 Public Hearing to Adopt an Ordinance Amending Title 10 (Planning and Zoning) to Update Conditional Use Permit Regulations and Replace Nonconforming Uses and Improvements Regulations with New Article on Nonconforming Uses, Structures, and Lots; CEQA Exemption Findings. The proposed Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15061(b)(3), Section 15301, and Section 15303.

Staff Report (DOC)
Attachment 1-Draft Ordinance (DOC)
Attachment 2-Draft Ordinance- Redline Version (DOC)
Attachment 3- Planning Commission Resolution No. 2025-17 (PDF)
Attachment 4- August 18, 2025, Planning Commission Staff Report with Attachments (DOC)

Adjourn

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Town Staff at email savila@sananselmo.gov. Notification at least 48 hours prior to the meeting will enable the Town to make reasonable accommodations to help ensure accessibility to this meeting.

Any writings or documents provided to a majority of the Town Council regarding any item on this agenda after the distribution of the original packet will be made available for public inspection at the public counter at Town Hall located at 525 San Anselmo Avenue.

Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda. If any of these matters above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this agenda, or in written correspondence delivered at, or prior to, this Council meeting. Judicial review of an administrative decision of the Town Council must be filed with the Court not later than the 90th day following the date of the Council's decision (Code of Civil Procedure Section 1094.6) Any item not under discussion before 10:00 p.m. may be continued to the next regular meeting. Next regular meeting is October 14, 2025.

Administration Department
Town Hall
525 San Anselmo Avenue
San Anselmo, CA 94960
(415) 258-4691

Town Council
Tarrell Kullaway, Mayor
Steve Burdo, Vice Mayor
Eileen Burke, Councilmember
Chantel Walker, Councilmember
Yoav Schlesinger, Councilmember

Staff
David Donery, Town Manager
Linda Kenton, Assistant Town Manager / Town Librarian
Jeff Zuba, Finance and Admin Services Director
Megan Holt Acevedo, Town Attorney
Serge Avila, Town Clerk
Heidi Scoble, Community Development Director
Sean Condry, Public Works Director
Mattie O'Grady, Community Services Director
Mike Norton, Chief of Police
Dan Mahoney, Fire Chief

DECLARATION OF POSTING
This Notice is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can

view electronic agendas and staff reports by accessing the Town of San Anselmo website. Under penalty of perjury, this Agenda was posted to the public at least 72 hours prior to the meeting.

STAFF REPORT

TOWN OF SAN ANSELMO Item #: 1.1

MEETING DATE: September 23, 2025

AGENDA TITLE: Approval of the Draft Minutes of the Regular Town Council Meeting of the September 9, 2025

FROM: Serge Avila, Town Clerk

RECOMMENDATION: For Council to consider the approval of the Draft Minutes of the Regular Town Council meeting of September 9, 2025.

ATTACHMENT:

Attachment 1- Septiembre 9, 2025 Draft Minutes

San Anselmo Draft Council Minutes
Regular Meeting
Town Council Chambers and via Zoom
Tuesday, September 9, 2025

Interviews for the Planning Commission- 6:24 p.m.

The Council interviewed Tara Ticknor, Jacob "Jake" Shemano, Elizabeth Thomas, Paul Corning, Jennifer Asselstine, Tim Heiman

Call to Order: Optional Pledge of Allegiance- 7:15 p.m.

COUNCILMEMBERS PRESENT:	Eileen Burke (Acting Mayor) Yoav Schlesinger Chantel Walker
COUNCILMEMBER ABSENT:	Steve Burdo (Vice Mayor) Tarrell Kullaway (Mayor)
STAFF MEMBERS PRESENT:	Dave Donery, Town Manager Megan Acevedo, Town Attorney Serge Avila, Town Clerk Heidi Scoble, Community Development Director Eric Robb, Building Official Linda Kenton, Town Librarian Brigit Wipfler, Climate Action Coordinator Jeff Zuba, Finance and Admin Srvs. Director

Open Time for Public Expression

Ms. Tiffany McGilroy, member of the Racial Equity Committee, asked for support for a community event scheduled on Thursday, November 20th from 6:00 p.m. to 8:00 p.m. at Archie William High School. A 1968 BBC documentary called "Root of America" will be shown

Mr. Benedetto Chico, representing the Chamber of Commerce, reiterated the position and request to eliminate the paid parking program.

A graduate of San Dominico asked for the installation of a crosswalk at the intersection of Cedar and Ross.

Frank asked for a contribution to help the Racial Equity Committee event. He thanked Town Manager Donery for his display of leadership this morning at the meeting with the EDC.

Mr. Andrew Dargas was concerned about the AT&T antennae at the Spotless Cleaners.

Mr. Ross Asselstine discussed Flood Zone 9 budget issues, the BB2 project, and the paid parking program.

Ms. Kim Pipkin stated she submitted a letter several weeks ago about merchants feeling unwelcome, a disturbing incident that happened to her in a restaurant, and kids throwing eggs.

Ms. Kelly Murphy thanked the Council for making the permitting process much easier.

Council requests for future agenda items; Committee liaison reports; questions and comments to staff; miscellaneous items

Councilmember Schlesinger reported it was National Weinerschnizel Day; he attended Ember Stomp; this morning's EDC meeting regarding the parking issue.

Councilmember Walker reported she attended Ember Stomp; meetings at the Cal Poly Maritime Academy; supported the idea of a contribution to the documentary; asked if "daylighting" would help with visibility at the crosswalk at Cedar and Ross.

Acting Mayor Burke reported she attended the Memorial Park Renovation Committee meeting.

Town Manager Donery announced there will be a Special Town Council Meeting on Thursday evening at 7:00 p.m. regarding the paid parking program.

Special Presentation

There are no Special Presentations.

1. Consent Agenda

1.1 Approve the Draft Minutes of the Regular Town Council Meeting of August 26, 2025

1.2 Accept Resignation of Greg Alsterlind from the Bicycle & Pedestrian Advisory Committee

1.3 Adopt a Proclamation Recognizing and Ratifying Youth Commissioners for 2025/ 26

1.4 Receive and File a Report of Checks Issued, August 2025

1.5 Accept the Pedestrian Hybrid Beacon Project at Sir Francis Drake Boulevard and Saunders Avenue and Authorize Staff to File a Notice of Completion

Councilmember Schlesinger wanted to pull item #1.3

M/s, Burke/Walker, Motion to approve Consent Calendar items #1.1, #1.2, #1.4 through #1.5.
AYES: Schlesinger, Walker, Acting Mayor Burke
ABSENT: Burdo, Mayor Kullaway

1.3 Adopt a Proclamation Recognizing and Ratifying Youth Commissioners for 2025/26

Councilmember Schlesinger stated the Youth Commissioners were amazing. The program is a great way to connect with the younger generation.

M/s, Schlesinger/Walker, Motion to approve Consent Calendar item #1.3.
AYES: Schlesinger, Walker, Acting Mayor Burke
ABSENT: Burdo, Mayor Kullaway

Public Hearing

2.1 Public Hearing, Discussion, and Potential Adoption of an Ordinance Amending Title 9,

Chapter 1 (Construction Codes) and Chapter 19 (Green Building Requirements) to Implement the 2025 Tier 1 CALGreen Building Code

Community Development Director Scoble presented the staff report and a PowerPoint presentation that included the following: 1) What are Building Codes? 2) AB 130 Context; 3) What are Green Building Codes? 4) CalGreen Compliance Options; 5) Current Green Building Code; 6) 2025 Green Building Code; 7) 2025 Comparison; 8) Policy Options; 9) Marin Comparison. Staff answered questions from the Council regarding maintaining the 750 square feet level; Section 11.2 "Definitions", additions or alterations with respect to 500 square feet vs. 750 square feet; if staff has a projection for the number of ADU's that will be built in the next six years; if the last slide was talking about new construction or renovations; if the codes will be updated in 2028; projections of the cost increases; "cradle to grave" analysis vs. GHG reduction; how to address possible carve outs in the ordinance; line items that have a large price tag.

Acting Mayor Burke opened the meeting to public comments.

Ms. Sue Saunders discussed home electrification and stated she is an electric vehicle advocate. She is concerned about the upfront costs related to the CALGreen EV charging requirement.

A 24-year resident of San Anselmo advocated for adopting the Tier 1 requirements. The Town could adopt the requirements and chose not to use certain ones.

Mr. Eric Matser stated developers will look to other communities that have fewer requirements. It is about the bottom line.

Acting Mayor Burke closed the meeting to public comments.

Acting Mayor Burke was concerned about the increase in costs for multi-family housing using Tier 1. The CAL Green mandatory requirements are stringent. She discussed the modifications she would support.

Councilmember Schlesinger stated he was not convinced that they would want to keep every Tier 1 provision.

Councilmember Walker stated she would like to see this move forward and she was in favor of the exemptions for ADUs.

M/s, Schlesinger/Walker, Motion to Introduce and Waive Further readings an Ordinance Amending Title 9, Chapter 1 (Construction Codes) and Chapter 19 (Green Building Requirements) to Implement the 2025 Tier 1 CAL Green Building Code and finding that the Council action is not a "project" under CEQA (Section 21065).
AYES: Schlesinger, Walker
NOES: Acting Mayor Burke
ABSENT: Burdo, Mayor Kullaway

Town Attorney Acevedo stated the motion did not pass since it needed three votes to pass.

Council Business Items

3.1 Consider Making Appointments to the Planning Commission

Town Clerk Avila presented the staff report. There were no questions from the Council.

The Council selected their top choices.

Acting Mayor Burke opened the meeting to public comments.

There were no comments.

Acting Mayor Burke closed the meeting to public comments.

M/s, Schlesinger/Walker, Motion to appoint Jake Shemano, Elizabeth Thomas, Jennifer Asselstine, and Tim Heiman to the Planning Commission.
AYES: Schlesinger, Walker, Acting Mayor Burke
ABSENT: Burdo, Mayor Kullaway

Closed Session

Acting Mayor Burke announced that item 4.1 will be discussed in Closed Session

4.1 Conference with Legal Counsel pursuant to Government Code Section 54956.9- Existing Litigation (National Opioid Settlement with Purdue (and certain of its affiliates) and the Sackler family)

Conference with Legal Counsel pursuant to Government Code Section 94956.9- Existing Litigation (Secondary Manufacturers Settlements with Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus)

Public Comment on Closed Session Items

There were no comments.

The Council adjourned to closed session.

The Council reconvened in the Council Chambers at 8:52 p.m.

Acting Mayor Burke stated there was nothing to report from the Closed Session.

M/s, Burke/Walker, Motion to adjourn the meeting at 8:53 p.m.
AYES: Schlesinger, Walker, Acting Mayor Burke
ABSENT: Burdo, Mayor Kullaway

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

STAFF REPORT

TOWN OF SAN ANSELMO **Item: 1.2**

MEETING DATE: 9/23/25

AGENDA TITLE: Financial Report on Recreation Fund

FROM: Mattie O'Grady – Director of Community Services

RECOMMENDATION: That the Town Council review the Recreation Fund revenue and expenditure report for the period ending August 31, 2025.

BACKGROUND

The Recreation Department offers a wide variety of fee-based programs throughout the fiscal year including sports programs and leagues, youth and adult classes, and childcare and camps. Additional revenue is generated through facility rentals and administrative fees.

DISCUSSION/ANALYSIS

As of August 31, 2025, 17% of the fiscal year has elapsed and the Recreation Fund is listed at 24% of projected revenues and 19% of projected expenditures.

Attached are the department's capital outlay budget and the Recreation Fund revenue and expenditure report. For this fiscal year, the Recreation Department has allocated funds to support special events and older adult programming that are not expected to be cost-recoverable.

For future historical comparison purposes, staff has developed the following table:

FY		Revenue				Expenditures				Rev Over/(Under) Exp	
		Budget	Actual	%		Budget	Actual	%		$$	%
2025-26		**2,362,320**	**567,678**	**24%**		**2,362,320**	**455,469**	**19%**		**112,208**	**5%**
2024-25		2,210,355	403,892	18%		2,210,355	381,775	17%		22,116	1%

Attachment 1 - Revenue & Expenditure Report FY 2025-26: Recreation Fund as of 8/31/2025

Attachment 2 – Capital Outlay Report FY 2025-26 as of 8/31/2025

Town of San Anselmo

Budget Report
Group Summary
For Fiscal: 2025-2026 Period Ending: 08/31/2025

SubCategory	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Department: 00 - UNDESIGNATED						
670 - TRANSFERS OUT	38,815.00	38,815.00	0.00	0.00	38,815.00	100.00%
Department: 00 - UNDESIGNATED Total:	**38,815.00**	**38,815.00**	**0.00**	**0.00**	**38,815.00**	**100.00%**
Department: 61 - SPORTS						
480 - FEES FOR SERVICES	669,000.00	669,000.00	19,163.00	215,021.01	-453,978.99	67.86%
600 - SALARIES AND WAGES	30,120.00	30,120.00	0.00	0.00	30,120.00	100.00%
602 - EMPLOYEE BENEFITS	2,304.00	2,304.00	0.00	0.00	2,304.00	100.00%
611 - OUTSIDE SERVICES	305,000.00	305,000.00	232.53	2,982.53	302,017.47	99.02%
629 - MISCELLANEOUS	44,990.00	44,990.00	0.00	703.68	44,286.32	98.44%
Department: 61 - SPORTS Surplus (Deficit):	**286,586.00**	**286,586.00**	**18,930.47**	**211,334.80**	**-75,251.20**	**26.26%**
Department: 62 - CULTURE						
480 - FEES FOR SERVICES	181,000.00	181,000.00	470.00	928.00	-180,072.00	99.49%
611 - OUTSIDE SERVICES	110,800.00	110,800.00	361.00	505.00	110,295.00	99.54%
629 - MISCELLANEOUS	1,500.00	1,500.00	0.00	478.51	1,021.49	68.10%
Department: 62 - CULTURE Surplus (Deficit):	**68,700.00**	**68,700.00**	**109.00**	**-55.51**	**-68,755.51**	**100.08%**
Department: 63 - CHILD CARE						
480 - FEES FOR SERVICES	1,461,000.00	1,461,000.00	152,232.90	340,155.19	-1,120,844.81	76.72%
600 - SALARIES AND WAGES	615,904.00	615,904.00	96,934.89	179,375.53	436,528.47	70.88%
601 - RETIREMENT	33,755.00	33,755.00	2,810.20	5,592.80	28,162.20	83.43%
602 - EMPLOYEE BENEFITS	127,125.00	127,125.00	13,393.50	25,678.11	101,446.89	79.80%
611 - OUTSIDE SERVICES	336,200.00	336,200.00	64,600.43	128,598.07	207,601.93	61.75%
622 - DEPARTMENT SUPPLIES	7,000.00	7,000.00	380.02	1,701.75	5,298.25	75.69%
629 - MISCELLANEOUS	42,600.00	42,600.00	1,734.03	6,381.22	36,218.78	85.02%
Department: 63 - CHILD CARE Surplus (Deficit):	**298,416.00**	**298,416.00**	**-27,620.17**	**-7,172.29**	**-305,588.29**	**102.40%**
Department: 64 - EVENTS AND OTHER						
480 - FEES FOR SERVICES	31,020.00	31,020.00	3,988.50	8,781.50	-22,238.50	71.69%
611 - OUTSIDE SERVICES	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00%
Department: 64 - EVENTS AND OTHER Surplus (Deficit):	**11,020.00**	**11,020.00**	**3,988.50**	**8,781.50**	**-2,238.50**	**20.31%**
Department: 65 - PROGRAM ADMINISTRATION						
480 - FEES FOR SERVICES	20,300.00	20,300.00	2,019.00	2,793.00	-17,507.00	86.24%
600 - SALARIES AND WAGES	313,039.00	313,039.00	35,425.96	61,251.92	251,787.08	80.43%
601 - RETIREMENT	29,741.00	29,741.00	2,498.78	4,997.56	24,743.44	83.20%
602 - EMPLOYEE BENEFITS	104,879.00	104,879.00	9,480.12	18,230.85	86,648.15	82.62%
610 - TRAINING	7,500.00	7,500.00	0.00	0.00	7,500.00	100.00%
611 - OUTSIDE SERVICES	114,748.00	114,748.00	37.00	7,156.32	107,591.68	93.76%
613 - PUBLICATION / DUES	1,000.00	1,000.00	0.00	22.33	977.67	97.77%
614 - MAINTENANCE	850.00	850.00	0.00	0.00	850.00	100.00%
615 - BUILDING MAINTENANCE	11,000.00	11,000.00	277.00	554.00	10,446.00	94.96%
617 - UTILITIES	14,450.00	14,450.00	0.00	0.00	14,450.00	100.00%
618 - HIRING	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00%
620 - OFFICE SUPPLIES	33,500.00	33,500.00	29.20	9,882.10	23,617.90	70.50%
622 - DEPARTMENT SUPPLIES	11,500.00	11,500.00	1,176.24	1,377.52	10,122.48	88.02%
Department: 65 - PROGRAM ADMINISTRATION Surplus (Deficit):	**-625,907.00**	**-625,907.00**	**-46,905.30**	**-100,679.60**	**525,227.40**	**83.91%**
Report Surplus (Deficit):	**0.00**	**0.00**	**-51,497.50**	**112,208.90**	**112,208.90**	**0.00%**

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
21 - RECREATION	0.00	0.00	-51,497.50	112,208.90	112,208.90
Report Surplus (Deficit):	**0.00**	**0.00**	**-51,497.50**	**112,208.90**	**112,208.90**

Town of San Anselmo

Budget Report
Account Summary
For Fiscal: 2025-2026 Period Ending: 08/31/2025

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 21 - RECREATION							
Expense							
SubCategory: 619 - MISCELLANEOUS							
21.64.61185	SPECIAL EVENT EXPENSE	10,000.00	10,000.00	549.20	678.13	9,321.87	93.22 %
21.64.61200	OLDER ADUILT PROGRAMMING	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %
	SubCategory: 619 - MISCELLANEOUS Total:	**25,000.00**	**25,000.00**	**549.20**	**678.13**	**24,321.87**	**97.29%**
SubCategory: 631 - CAPITAL OUTLAY - CONSTRUCTION							
21.65.63100	CAPITAL OUTLAY - CONSTRUCTION	300,000.00	300,000.00	350.00	1,714.53	298,285.47	99.43 %
	SubCategory: 631 - CAPITAL OUTLAY - CONSTRUCTION Total:	**300,000.00**	**300,000.00**	**350.00**	**1,714.53**	**298,285.47**	**99.43%**
	Expense Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**
	Fund: 21 - RECREATION Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**
	Report Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**

Group Summary

SubCategory	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 21 - RECREATION						
Expense						
619 - MISCELLANEOUS	25,000.00	25,000.00	549.20	678.13	24,321.87	97.29%
631 - CAPITAL OUTLAY - CONSTRUCTION	300,000.00	300,000.00	350.00	1,714.53	298,285.47	99.43%
Expense Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**
Fund: 21 - RECREATION Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**
Report Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**

Fund Summary

Fund		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
21 - RECREATION		325,000.00	325,000.00	899.20	2,392.66	322,607.34	99.26%
	Report Total:	**325,000.00**	**325,000.00**	**899.20**	**2,392.66**	**322,607.34**	**99.26%**

STAFF REPORT

TOWN OF SAN ANSELMO Item #:1.3

MEETING DATE: September 23, 2025

AGENDA TITLE: Revenue and Expenditure Reports, August 2025

FROM: Jeff Zuba, Finance & Admin Services Director

RECOMMENDATION: That Town Council consider approving the monthly year-to-date Revenue and Expenditure Reports and corresponding activity for the period ending through August 31, 2025.

SUMMARY

Every reporting period end, the Town of San Anselmo presents to the Town Council its operations as shown on the Revenue and Expenditure reports for discussion and approval.

BACKGROUND

The Revenue and Expenditure reports are year-to-date summaries of revenues and expenditures from the Town's financial system (Tyler Incode') for both the current as well as the prior corresponding fiscal year. These reports include the General Fund's operations given that most of the Town-level operational activities are processed through the General Fund either directly or indirectly. This approval is to be obtained once a month within the fiscal year.

DISCUSSION/ANALYSIS

The revenue and expenditure data through August 31, 2025, is a compilation of all operating activity that is year-to-date for the current and prior fiscal year. These reports are sourced directly from the Town's financial system, of which a corresponding analysis has been performed identifying the key trends the Town Council should take note of.

Revenues
Overall, through the August 2025 reporting period, the town's general fund revenue decreased its base relative to the prior year by $0.060M. A majority of the Town's revenue is collected at specific times.

Category	AUG YTD FY26	AUG YTD FY25	$ Change	% Change
Property Tax	12,232.41	426.50	11,805.91	2768.09%
Sales Tax	-	-	-	-
Property Transfer Tax	-	-	-	-
Franchise Taxes	40,664.36	40,913.40	(249.04)	-0.61%
Licenses & Permits	193,327.36	251,832.82	(58,505.46)	-23.23%
Fines	9,203.61	657.53	8,546.08	1299.72%
Cash & Investment Interest	-	18,359.81	(18,359.81)	-100.00%
Intergovernmental	5,000.00	2,361.70	2,638.30	111.71%
Other Fees	73,838.83	79,465.28	(5,626.45)	-7.08%
Transfers In	-	-	-	-
Total	**334,266.57**	**394,017.04**	**(59,750.47)**	**-15.16%**

As shown above, the Town's overall revenue base decreased by $0.060M as its

- The Town receives property tax disbursements from the County of Marin in December, April, and June.
- The Town receives disbursements monthly from the State for Sales Tax. The collections for the fiscal year 2025-26 will begin in September.
- Revenue from Licenses & Permits decreased by $0.046M compared to the previous period, due to a reduction in construction activity in the Town.

As far as the other revenue streams, these changes either decreased or remained flat year-over-year resulting in an immaterial change.

Expenditures
Overall, through the August 2025 reporting period end, the Town's General Fund expenditures have increased by $0.307M compared to the prior year. This is primarily from increases in compensation, retirement, outside services, and debt service. All other activity is either flat year-over-year or nets correspondingly to an immaterial change, all of which are within management's expectations.

Category	AUG YTD FY26	AUG YTD FY25	$ Change	% Change
Compensation	944,403.49	729,697.73	214,705.76	29.42%
Retirement	261,823.99	146,325.50	115,498.49	78.93%
Training	4,379.50	993.13	3,386.37	340.98%
Outside Services	391,144.42	525,126.49	(133,982.07)	-25.51%
Outside Services - Public Safety	2,459,728.93	2,284,789.83	174,939.10	7.66%
Maintenance	12,873.66	21,817.02	(8,943.36)	-40.99%
Utilities	3,679.44	2,973.34	706.10	23.75%
Supplies	14,865.38	24,538.15	(9,672.77)	-39.42%
Debt Service - Pension Bond	596,120.07	552,599.61	43,520.46	7.88%
Other Expenditure	21,010.88	50,536.66	(29,525.78)	-58.42%
Internal Service Charge	801,182.32	864,635.30	(63,452.98)	-7.34%
Transfers Out	-	-	-	0.00%
Total	**5,511,212.08**	**5,204,032.76**	**307,179.32**	**5.90%**

As shown above, the Town's expenditures base overall increased by $0.307M, which is driven by compensation, retirement, outside services – public safety, and debt service:

- Compensation (Salaries & Wages and Benefits) increased by $0.214M compared to the prior fiscal year, primarily due to the 6.0% cost of living adjustment effective July 1, 2025, step adjustments, one-time payment, and health insurance premiums.
- Retirement increased by $0.115M compared to the prior period due to the Town's CalPERS unfunded liability payment, cost of living, step adjustments, and fully staffed positions.
- Outside Services decreased by $0.113M compared to the previous period due to lower allocated costs for Animal Control Services with the County and Library Marinet Membership, and fewer plan check fees for the month of July.
- Outside Services – Public Safety increased by $0.174M compared to the previous fiscal year due to payments for Public Safety JPA's, Central Marin Police Authority, and Ross Valley Fire Department.
- Debt Service increased by $0.043M compared to the previous fiscal year due to the repayment of the 2021 Pension Obligation Bonds. The bond payments are due in August and February.
- Internal Service Fund Charge decreased by $0.063M compared to the previous period due to decreased payment to the Internal Service Funds for Insurance and vehicle replacement, offset by increases for Building Maintenance and Information Technology.

As far as the other expenditure streams, these changes either slightly changed or remained flat year-over-year, resulting in an immaterial change. All other changes are taken together overall and are immaterial for further discussion and are expected given the Town's operations.

MEASURE J

Revenues

Overall, through the August 2025 reporting period, the town's Measure J fund does not have any revenue recorded.

Category	AUG YTD FY26	AUG YTD FY25	$ Change	% Change
Sales Tax	-	-	-	-
Cash & Investment Interest	-	-	-	-
Reimbursement	-	-	-	-
Total	**-**	**-**	**-**	**-**

- The Town receives disbursements monthly from the State for Sales Tax. The collections for the fiscal year 2025-26 will begin in September.

Expenditures
Overall, through the August 2025 reporting period end, the Town's Measure J expenditures have increased by $0.597M compared to the prior year. This is primarily from increases in compensation, retirement, outside services, and construction. All other activity is either flat year-over-year or nets correspondingly to an immaterial change, all of which are within management's expectations

Category	AUG YTD FY26	AUG YTD FY25	$ Change	% Change
Compensation	43,719.94	34,391.18	9,328.76	27.13%
Retirement	3,100.85	2,690.79	410.06	15.24%
Training	-	-	-	-
Outside Services	47,108.84	38,846.84	8,262.00	21.27%
Construction	739,636.70	160,361.33	579,275.37	361.23%
Transfers Out	-	-	-	-
Total	**833,566.33**	**236,290.14**	**597,276.19**	**252.77%**

- Outside Services increased by $0.008M compared to the prior period; the increase is primarily due to higher costs associated with the three-person engine company charge for the Ross Valley Fire Department. The Firefighter/Paramedic classification received a 3% cost-of-living adjustment and a 3% equity adjustment, which also increased the associated benefit costs. In addition, employees in this group continue to advance through the Department's salary step schedule.
- Construction increased by $0.579M compared to the previous period due to the Fire Station 20 Project and Isabel Cook Community Center Roof Project. In the prior period through August, the Town had completed some bridge design work, repairs on concrete roads, and minor work at Memorial Park.

FISCAL IMPACT
None

GENERAL PLAN CONSISTENCY
Not applicable

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The Council's discussion and approval of this report is not a "project" under the California Environmental Quality Act, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

ATTACHMENTS
Attachment #1: Budget Comparison Report by Subcategory, August 2025
Attachment #2: Budget Comparison Report by Department, August 2025
Attachment #3: Budget Comparison Report by Subcategory Measure J, August 2025
Attachment #4: Budget Comparison Report by Department Measure J, August 2025

Town of San Anselmo
2025-2026 Rev & Exp Report
as of 08/31/2025

	2024-2025 Revised Budget	2024-2025 Audited Actuals	2024-2025 YTD Actuals	% of Audited Actuals	2025-2026 Adopted Budget	2025-2026 Revised Budget	2025-2026 YTD Actuals	% of Actual / Budget
Fund: 01 - GENERAL FUND								
Revenue								
400 - PROPERTY TAX GENERAL	10,030,351.00	10,050,213.98	848.32	0.01%	10,487,401.00	10,487,401.00	1,203.40	0.01%
401 - PENSION	3,020,000.00	3,171,137.39	-343.82	-0.01%	3,097,000.00	3,097,000.00	2,237.27	0.07%
402 - PROPERTY TAX OTHER	3,998,058.00	3,894,688.01	-78.00	0.00%	4,109,847.00	4,109,847.00	8,791.74	0.21%
410 - OTHER TAXES	1,530,000.00	1,328,203.03	0.00	0.00%	1,471,120.00	1,471,120.00	0.00	0.00%
411 - FRANCHISE TAXES	936,500.00	894,707.05	40,913.40	4.57%	976,000.00	976,000.00	40,664.36	4.17%
420 - BUSINESS LICENSE	290,000.00	325,689.18	12,900.10	3.96%	298,000.00	298,000.00	11,118.79	3.73%
421 - PARKING	0.00	192.54	0.00	0.00%	0.00	0.00	2,608.60	-
422 - CONSTRUCTION	1,091,000.00	1,167,221.10	238,932.72	20.47%	1,105,000.00	1,105,000.00	179,599.97	16.25%
430 - VEHICLE CODE	15,000.00	13,101.62	531.23	4.05%	0.00	0.00	0.00	#DIV/0!
431 - LIBRARY	1,500.00	2,351.93	126.30	5.37%	2,500.00	2,500.00	362.90	14.52%
432 - PARKING	117,990.00	73,609.06	0.00	0.00%	10,000.00	10,000.00	8,840.71	88.41%
440 - USE OF MONEY AND PROPERTY	100,000.00	205,811.21	18,359.81	8.92%	135,000.00	135,000.00	0.00	0.00%
450 - STATE REVENUE	235,500.00	251,356.88	2,361.70	0.94%	171,000.00	171,000.00	5,000.00	2.92%
460 - FEDERAL REVENUE	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	-
470 - LOCAL AGENCY REVENUE	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	-
480 - FEES FOR SERVICES	198,500.00	216,149.53	50,297.44	23.27%	215,500.00	215,500.00	33,353.45	15.48%
490 - MISCELLANEOUS REVENUE	115,555.00	279,866.05	29,167.84	10.42%	157,500.00	157,500.00	40,485.38	25.71%
519 - TRANSFERS IN	403,318.00	398,984.58	0.00	0.00%	413,185.00	413,185.00	0.00	-
520 - SOURCE OF PROCEEDS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	-
Total Revenue:	**22,083,272.00**	**22,273,283.14**	**394,017.04**	**1.77%**	**22,649,053.00**	**22,649,053.00**	**334,266.57**	**3.13%**
Expense								
600 - SALARIES AND WAGES	3,552,174.00	3,493,701.89	579,495.74	16.59%	3,922,641.00	3,922,641.00	762,678.27	19.44%
601 - RETIREMENT	428,706.00	407,334.57	146,325.50	35.92%	568,476.00	568,476.00	261,823.99	46.06%
602 - EMPLOYEE BENEFITS	872,566.00	832,705.82	135,839.56	16.31%	953,970.00	953,970.00	167,698.40	17.58%
604 - RETIREE BENEFITS	180,796.00	180,796.00	14,362.43	7.94%	190,028.00	190,028.00	14,026.82	7.38%
610 - TRAINING	68,750.00	51,805.43	993.13	1.92%	69,750.00	69,750.00	4,379.50	6.28%
611 - OUTSIDE SERVICES	2,734,465.00	2,529,940.96	525,126.49	20.76%	2,112,045.00	2,112,045.00	391,144.42	18.52%
612 - OUTSIDE SERVICES - POLICE (CMPA) & FIRE (RVFD)	10,974,172.00	10,971,504.08	2,284,789.83	20.82%	11,732,115.00	11,732,115.00	2,459,728.93	20.97%
613 - PUBLICATION / DUES	27,522.00	19,719.73	1,895.33	9.61%	28,645.00	28,645.00	3,404.91	11.89%
614 - MAINTENANCE	123,485.00	79,340.09	11,535.47	14.54%	105,750.00	105,750.00	8,553.75	8.09%
615 - BUILDING MAINTENANCE	60,000.00	48,951.16	8,386.22	17.13%	42,500.00	42,500.00	915.00	2.15%
616 - VEHICLE MAINTENANCE	16,050.00	19,072.48	2,973.34	15.59%	16,050.00	16,050.00	3,679.44	22.92%
617 - UTILITIES	0.00	119,494.51	15,192.15	12.71%	0.00	0.00	852.35	0.00%
618 - HIRING	1,000.00	13,318.46	11,715.09	87.96%	1,000.00	1,000.00	0.00	0.00%
619 - MISCELLANEOUS	25,000.00	4,562.64	3,225.00	70.68%	15,500.00	15,500.00	0.00	0.00%
620 - OFFICE SUPPLIES	32,754.00	33,760.59	8,007.64	23.72%	800.00	800.00	1,872.02	234.00%
622 - DEPARTMENT SUPPLIES	133,197.00	191,923.69	13,305.51	6.93%	132,950.00	132,950.00	12,993.36	9.77%
623 - BOOKS / MAGAZINES / VIDEOS	29,000.00	32,201.33	10,652.90	33.08%	30,750.00	30,750.00	1,506.81	4.90%
628 - Internal Service Charge	1,437,812.00	1,437,811.80	864,635.30	60.14%	1,307,094.00	1,307,094.00	801,182.32	61.29%
629 - MISCELLANEOUS	105,500.00	66,020.92	12,976.52	19.66%	183,800.00	183,800.00	18,651.72	10.15%
630 - EQUIPMENT	500.00	12,740.74	0.00	0.00%	0.00	0.00	0.00	0.00%
631 - CAPITAL OUTLAY - CONSTRUCTION	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
640 - PRINCIPAL	465,000.00	465,000.00	465,000.00	100.00%	510,000.00	510,000.00	510,000.00	100.00%
641 - INTEREST	173,929.00	173,811.71	87,599.61	50.40%	170,189.00	170,189.00	86,120.07	50.60%
670 - TRANSFERS OUT	640,000.00	640,000.00	0.00	0.00%	555,000.00	555,000.00	0.00	0.00%
Total Expense:	**22,082,378.00**	**21,825,518.60**	**5,204,032.76**	**23.84%**	**22,649,053.00**	**22,649,053.00**	**5,511,212.08**	**24.33%**
Total Fund: 01 - GENERAL FUND:	**894.00**	**447,764.54**	**-4,810,015.72**		**0.00**	**0.00**	**-5,176,945.51**	
Report Total:	**894.00**	**447,764.54**	**-4,810,015.72**		**0.00**	**0.00**	**-5,176,945.51**	

Town of San Anselmo
2025-2026 Rev & Exp Report
as of 08/31/2025

	2024-2025 Revised Budget	2024-2025 Audited Actuals	2024-2025 YTD Actuals	% of Audited Actuals	2025-2026 Adopted Budget	2025-2026 Revised Budget	2025-2026 YTD Actuals	% of Actual / Budget
Fund: 01 - GENERAL FUND								
Expense								
00 - UNDESIGNATED	640,000.00	640,000.00	0.00	0.00%	555,000.00	555,000.00	0.00	0.00%
11 - TOWN COUNCIL	71,446.00	72,327.28	5,018.89	6.94%	64,260.00	64,260.00	4,752.46	7.40%
12 - ADMINISTRATION	1,669,529.00	1,671,128.59	251,880.99	15.07%	1,712,209.00	1,712,209.00	305,568.48	17.85%
16 - LEGAL SERVICES	330,000.00	220,398.50	16,570.50	7.52%	280,000.00	280,000.00	8,492.00	3.03%
18 - PLANNING	1,169,800.00	1,050,424.51	152,193.18	14.49%	916,720.00	916,720.00	149,577.44	16.32%
19 - Building & Inspections	0.00	0.00	0.00	0.00%	1,134,173.00	1,134,173.00	175,869.62	15.51%
21 - NON-DEPARTMENTAL	1,488,431.00	1,481,812.98	1,042,891.15	70.38%	1,494,217.00	1,494,217.00	1,091,396.59	73.04%
30 - POLICE	5,474,469.00	5,476,919.00	1,368,617.25	24.99%	5,814,695.00	5,814,695.00	1,476,559.75	25.39%
32 - ROSS VALLEY FIRE SERVICE	5,559,703.00	5,531,890.03	924,168.91	16.71%	5,959,920.00	5,959,920.00	983,169.18	16.50%
40 - DEBT SERVICE	640,429.00	640,111.71	552,599.61	86.33%	681,689.00	681,689.00	596,120.07	87.45%
41 - ENGINEERING AND INSPECTION	1,774,695.00	1,750,543.89	290,007.14	16.57%	669,661.00	669,661.00	103,744.71	15.49%
42 - STREETS	1,278,642.00	1,255,768.46	194,825.37	15.51%	1,302,235.00	1,302,235.00	186,905.98	14.35%
71 - LIBRARY	899,716.00	958,206.51	231,121.36	24.12%	952,892.00	952,892.00	257,610.75	27.03%
81 - PARKS	768,688.00	760,782.40	116,855.96	15.36%	752,314.00	752,314.00	112,451.40	14.95%
82 - RECREATION/GENERAL FUND	316,830.00	315,204.74	57,282.45	18.17%	359,068.00	359,068.00	58,993.65	16.43%
Total Expense:	**22,082,378.00**	**21,825,518.60**	**5,204,032.76**	**23.84%**	**22,649,053.00**	**22,649,053.00**	**5,511,212.08**	**24.33%**
Total Fund: 01 - GENERAL FUND:	**22,082,378.00**	**21,825,518.60**	**5,204,032.76**	**23.84%**	**22,649,053.00**	**22,649,053.00**	**5,511,212.08**	**24.33%**
Report Total:	**22,082,378.00**	**21,825,518.60**	**5,204,032.76**	**23.84%**	**22,649,053.00**	**22,649,053.00**	**5,511,212.08**	**24.33%**

Town of San Anselmo
2025-2026 Rev & Exp Report
as of 08/31/2025

	2024-2025 Revised Budget	2024-2025 Audited Actuals	2024-2025 YTD Actuals	% of Audited Actuals	2025-2026 Adopted Budget	2025-2026 Revised Budget	2025-2026 YTD Actuals	% of Actual / Budget
Fund: 15 - SALES TAX - MEASURE J								
Revenue								
410 - OTHER TAXES	2,539,700.00	2,275,389.90	0.00	0.00%	2,493,023.00	2,493,023.00	0.00	0.00%
440 - USE OF MONEY AND PROPERTY	0.00	0.00	0.00	0.00%	20,000.00	20,000.00	0.00	0.00%
490 - MISCELLANEOUS REVENUE	0.00	0.00	0.00	0.00%	363,005.00	363,005.00	0.00	0.00%
Total Revenue:	**2,539,700.00**	**2,275,389.90**	**0.00**	**0.00%**	**2,876,028.00**	**2,876,028.00**	**0.00**	**0.00%**
Expense								
600 - SALARIES AND WAGES	184,552.82	178,688.70	28,586.57	16.00%	194,877.00	194,877.00	36,601.58	18.78%
601 - RETIREMENT	17,403.96	16,871.90	2,690.79	15.95%	18,606.00	18,606.00	3,100.85	16.67%
602 - EMPLOYEE BENEFITS	43,971.10	37,283.51	5,804.61	15.57%	41,874.00	41,874.00	7,118.36	17.00%
611 - OUTSIDE SERVICES	261,716.00	268,757.71	43,619.34	16.23%	332,653.00	332,653.00	47,108.84	14.16%
631 - CAPITAL OUTLAY - CONSTRUCTION	2,807,857.00	1,772,179.17	160,361.33	9.05%	2,245,912.00	2,245,912.00	739,636.70	32.93%
632 - SLURRY	200,000.00	377,748.70	-4,772.50	-1.26%	0.00	0.00	0.00	0.00%
670 - TRANSFERS OUT	0.00	0.00	0.00	0.00%	124,651.00	124,651.00	0.00	0.00%
Total Expense:	**3,515,500.88**	**2,651,529.69**	**236,290.14**	**8.91%**	**2,958,573.00**	**2,958,573.00**	**833,566.33**	**28.17%**
Total Fund: 15 - SALES TAX - MEASURE J:	**-975,800.88**	**-376,139.79**	**-236,290.14**		**-82,545.00**	**-82,545.00**	**-629,137.30**	
Report Total:	**-975,800.88**	**-376,139.79**	**-236,290.14**		**-82,545.00**	**-82,545.00**	**-629,137.30**	

Town of San Anselmo 2025-2026 Rev & Exp Report as of 08/31/2025	2024-2025 Revised Budget	2024-2025 Audited Actuals	2024-2025 YTD Actuals	% of Audited Actuals	2025-2026 Adopted Budget	2025-2026 Revised Budget	2025-2026 YTD Actuals	% of Actual / Budget
Fund: 15 - SALES TAX - MEASURE J								
Expense								
00 - UNDESIGNATED	0.00	0.00	0.00	0.00%	124,651.00	124,651.00	0.00	0.00%
32 - ROSS VALLEY FIRE SERVICE	261,716.00	509,134.15	43,619.34	8.57%	1,282,653.00	1,282,653.00	555,816.21	43.33%
41 - ENGINEERING AND INSPECTION	2,725,427.88	1,517,902.37	166,810.99	10.99%	1,020,269.00	1,020,269.00	172,599.44	16.92%
71 - LIBRARY	0.00	0.00	0.00	0.00%	100,000.00	100,000.00	0.00	0.00%
81 - PARKS	175,000.00	66,735.47	19,859.81	29.76%	375,000.00	375,000.00	180.26	0.05%
90 - Climate Action	353,357.00	557,757.70	6,000.00	1.08%	56,000.00	56,000.00	104,970.42	187.45%
Total Expense:	**3,515,500.88**	**2,651,529.69**	**236,290.14**	**8.91%**	**2,958,573.00**	**2,958,573.00**	**833,566.33**	**28.17%**
Total Fund: 15 - SALES TAX - MEASURE J:	**3,515,500.88**	**2,651,529.69**	**236,290.14**	**8.91%**	**2,958,573.00**	**2,958,573.00**	**833,566.33**	**28.17%**
Report Total:	**3,515,500.88**	**2,651,529.69**	**236,290.14**	**8.91%**	**2,958,573.00**	**2,958,573.00**	**833,566.33**	**28.17%**

STAFF REPORT

TOWN OF SAN ANSELMO Item #: 1.4

MEETING DATE: September 23, 2025

AGENDA TITLE: Proclaim National Friends of Libraries Week in San Anselmo, October 19-25, 2025

FROM: Linda M. Kenton

RECOMMENDATION: That Town Council proclaim National Friends of Libraries Week in San Anselmo, October 19-25, 2025

BACKGROUND

National Friends of Libraries Week has been celebrated since 2005 to show appreciation for existing library friends and supporters while also deepening community relationships. Friends of Libraries week celebrates the contributions of friends groups across the nation. Their dedication to their local libraries leaves a lasting and positive impact on their libraries and their communities. In fact, some libraries were established through the efforts of friends groups.

DISCUSSION/ANALYSIS

Each year the San Anselmo Town Council shows support for the library by proclaiming National Friends of Libraries Week. This year's Proclamation is found in Attachment 1 and follows here:

National Friends of Libraries Week
Proclamation
October 19-25, 2025

Whereas, Friends of the **San Anselmo Public Library** raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the Friends financially support facility improvements that enrich the children's library area and uphold the preservation and protection of the historic Carnegie Library;

Whereas, the work of the Friends highlights, on an on-going basis, the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Whereas, through Town Books, the Friends have established a vibrant community hub in downtown San Anselmo—offering popular and antiquarian books and media for all ages both in-store and online, showcasing local visual art through their gallery, and fostering connection by bringing people together to volunteer, shop, and engage;

Now, therefore, be it resolved that I, Tarrell Kullaway, Mayor of San Anselmo, proclaim October 19-25, 2025, as Friends of Libraries week in San Anselmo California and urge everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

CONCLUSION
To proclaim National Friends of Libraries Week unites the San Anselmo Town Council with jurisdictions across the nation to show support not only for the San Anselmo Public Library but for the Friends of the San Anselmo Library and the work they do.

FISCAL IMPACT
There would be no direct fiscal impact to the Town to approve this item.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY
The adoption of the attached Proclamation declaring April 6-12, 2025 as National Library Week is not a "project" pursuant to Section 15378 of the California Environmental Quality Act (CEQA) Guidelines and is therefore not subject to review pursuant to Section 15060(c)(3) of the CEQA Guidelines. The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENT

Attachment 1 – Proclamation

National Friends of Libraries Week
Proclamation
October 19-25, 2025

Whereas, Friends of the **San Anselmo Public Library** raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the Friends financially support facility improvements that enrich the children's library area and uphold the preservation and protection of the historic Carnegie Library;

Whereas, the work of the Friends highlights, on an on-going basis, the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

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Now, therefore, be it resolved that I, Tarrell Kullaway, Mayor of San Anselmo, proclaim October 19-25, 2025, as Friends of Libraries week in San Anselmo California and urge everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

STAFF REPORT

TOWN OF SAN ANSELMO Item #:1.5

MEETING DATE: September 23, 2025

AGENDA TITLE: Approval of Notice of Completion for Isabel Cook Community Center Reroof

FROM: Marc Matundan, Department of Public Works

RECOMMENDATION: Staff recommends the following actions to Town Council:

1. Approve the Isabel Cook Community Center ("ICC") Reroof ("Project") as complete
2. Authorize the Public Works Department to approve the Notice of Completion for the Project
3. Authorize Public Works to release the remainder of funds for the Project.

BACKGROUND

The ICC is utilized by multiple Town programs, and it houses the Town's Recreation Department. The facility's age and consistent use have led to the need for maintenance.

This Project provided a portion of the required maintenance and was necessary for the Town's long-term repair efforts, including future repainting projects and facility upkeep at the ICC. The roof has been solidly sheathed with plywood, the shingles were updated to charcoal black, the lower skylight has been replaced, the drop outlets have been replaced, and the boiler pipes have been updated. The Project is now finished.

DISCUSSION/ANALYSIS

The remaining retained payment that needs to be released by the Public Works Department to the Contractor is $9,822.50. The total cost of the project is $200,950.

FISCAL IMPACT

The combined engineers' estimate, with contingency, was initially $183,700. Funds from Measure J were used for the roof project, and separate ICC maintenance funds were used for boiler piping work. The ICC reroof exceeded the allocated budget by $950 due to unforeseen change orders.

The project was performed at the beginning of the school year and lasted three weeks to minimize impact on the ICC's summer programs usage.

GENERAL PLAN CONSISTENCY

This item is consistent with the San Anselmo Safety Element Policy Framework S-1.5, which mandates the maintenance of public buildings to ensure their resilience in the event of natural disasters.

CEQA CONSISTENCY

The Town finds this project to be categorically exempt from the requirement to prepare environmental documents under the CEQA pursuant to CEQA Guidelines Section 15301, Class 1, as it involves the maintenance and minor alteration of an existing facility with negligible or no expansion of use.

ATTACHMENT

Attachment 1 – ICC Site Images

Attachment 2 – Notice of Completion Template

ICC Roof Project





ICC Roof Project





ICC Roof Project





Recording Requested By:
The Town of _____

When Recorded Mail To:
_____ <name, title>
_____ <street address>
_____ <town, state and zip>

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§ 6103, 27383

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

NOTICE OF COMPLETION
Civil Code §§ 8182, 8184, 9204, and 9208

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the agent of the owner of the Project described below.

2. Owner's full name is_____("Town")

3. Town's address is _____

4. The nature of Town's interest in the Project is:
__ Fee Ownership _Lessee _Other:_____

5. Construction work on the Project performed on Town's behalf is generally described as follows:
<_____
_____>.

6. The name of the original Contractor for the Project is: <_____>.

7. The Project was accepted as complete on: <_____, 20__ >.

8. The Project is located at: <_____>.

Verification: In signing this document, I, the undersigned, declare under penalty of perjury under the laws of the State of California that I have read this notice, and I know and understand the contents of this notice, and that the facts stated in this notice are true and correct.

_____ _____
Date and Place Sean Condry, Director of Public Works

EXEMPT FROM NOTARY ACKNOWLEDGMENT REQUIREMENTS PER GOVERNMENT CODE § 27287 AND CIVIL CODE § 9208

AGREEMENT AND RELEASE OF ANY AND ALL CLAIMS

THIS AGREEMENT is made this_____day of_____, 20___, by and between (Name) _____, ("Contractor"), whose place of business is located at (Address)_____and Town of San Anselmo, a California Municipal Corporation, ("Town"), acting under and by virtue of the authority vested in the Town by the laws of the State of California.

RECITALS

Town and Contractor entered into Contract for: **Town of San Anselmo Project No. 3007, Robson Exterior Repaint.** The Work under the foregoing Contract has been completed.

Now, therefore, it is mutually agreed between Town and Contractor as follows:

AGREEMENT

1. Contractor will not be assessed liquidated damages except as detailed below:

Original Contract Sum	$_____
Modified Contract Sum	$_____
Payment to Date	$_____
Liquidated Damages	$_____
Payment Due Contractor	$_____

2. Subject to the provisions of this Agreement and Release, Town shall forthwith pay to Contractor the sum of_____Dollars ($_____) under the above Contract, less any amounts withheld under the Contract or represented by any Notice to Withhold Funds on file with Town as of the date of such payment.

3. Contractor acknowledges and hereby agrees that there are no unresolved or outstanding claims in dispute against Town arising from the above Contract, except for the claims described in Paragraph 4. It is the intention of the parties in executing this Agreement and Release that this Agreement and Release shall be effective as a full, final and general release of all claims, demands, actions, causes of action, obligations, costs, expenses, damages, losses and liabilities of Contractor against Town, all its respective agents, employees, inspectors, assignees and transferees except for the Disputed Claims set forth in Paragraph 4. Nothing in this Agreement and Release shall limit or modify Contractor's continuing obligations described in Paragraph 6, below.

4. The following claims are disputed ("Disputed Claims") and are specifically excluded from the operation of this Agreement and Release: **[Insert information, including attachment if needed]**

Claim No.	Date Submitted	Description of Claim	Amount of Claim

5. Consistent with California Civil Code Section 8138, the statutory form for Unconditional Waiver and Release Upon Final Payment has been executed and attached hereto.

6. Guarantees and warranties for the Work, and any other continuing obligation of Contractor, shall remain in full force and effect as specified in the Contract Documents.

7. Contractor shall immediately defend, indemnify and hold harmless Town, all its respective agents, employees, inspectors, assignees and transferees from any and all claims, demands,

actions, causes of action, obligations, costs, expenses, damages, losses and liabilities that may be asserted against them by any of Contractor's suppliers and/or subcontractors of any tier and/or any suppliers to them for any and all labor, materials, supplies and equipment used, or contemplated to be used in the performance of Contract, except for the Disputed Claims set forth in Paragraph 4, above.

8. Contractor hereby waives the provisions of California Civil Code Section 1542 which provides as follows: "*A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."*

9. The provisions of this Agreement and Release are contractual in nature and not mere recitals and shall be considered independent and severable, and if any such provision or any part thereof shall be at any time held invalid in whole or in part under any federal, state, county, municipal or other law, ruling or regulations, then such provision, or part thereof shall remain in force and effect only to the extent permitted by law, and the remaining provisions of this Agreement and Release shall also remain in full force and effect, and shall be enforceable.

10. Contractor represents and warrants that it is the true and lawful owner of all claims and other matters released pursuant to this Agreement and Release, and that it has full right, title and authority to enter into this instrument. Each party represents and warrants that it has been represented by counsel of its own choosing in connection with this Agreement and Release.

11. All rights of Town shall survive completion of the Work or termination of Contract, and execution of this Agreement and Release.

IN WITNESS WHEREOF the parties have executed this Agreement in the date first written above.

CONTRACTOR: _____
(Name of Firm)

_____
Signature

_____
Title (If Corporation: Chairman, President or Vice President)

_____
Signature

_____
Title (If Corporation: Secretary, Assistant Secretary, Chief Financial Officer or Assistant Treasurer)

TOWN: TOWN OF SAN ANSELMO

_____
Town Manager

ATTEST:

_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

END OF AGREEMENT AND RELEASE OF ANY AND ALL CLAIMS

STAFF REPORT

TOWN OF SAN ANSELMO Item #:1.6

MEETING DATE: September 23, 2025

AGENDA TITLE: Amending the Photovoltaic Permit Application Fee and Incorporating the New Fee into the Town's Master Fee Schedule

FROM: Jeff Zuba, Finance & Admin Services Director

RECOMMENDATION: That the Town Council consider adopting a resolution approving the amended photovoltaic permit application fee; find the adoption of the resolution exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273.

BACKGROUND

On July 22, 2025, the Town Council adopted the Fiscal Year 2025–2026 Fee Schedule, which included an updated fee for photovoltaic permit applications. The fee was set at $940 based on the Town's 2025 Cost Allocation and Fee Study, which determined the full cost of providing this service.

For comparison, the photovoltaic permit fee in Fiscal Year 2024–25 was $205. The newly adopted $940 fee represented a significant increase to achieve full cost recovery.

Subsequent review of California Government Code Section 66015(c) clarified that fees for residential photovoltaic systems are subject to statutory limitations. Specifically, permit fees may not exceed $450 (plus $15 per kilowatt for each kilowatt above 15kW for larger systems) unless the Town adopts written findings justifying a higher amount. While the Town could prepare the necessary findings, doing so would require additional staff resources. Moreover, maintaining the $940 fee may discourage solar adoption, particularly given the expiration of certain federal solar incentives.

DISCUSSION/ANALYSIS

Although the adopted $940 fee is consistent with the Town's cost recovery principles, staff recommends reducing the photovoltaic permit fee to $450 in compliance with state law and to encourage continued investment in renewable energy within the community. Aligning the Town's fee with the statutory maximum will:

- Ensure compliance with Government Code requirements.

- Reduce the administrative burden associated with preparing formal written findings.
- Support the Town's sustainability and green building goals by keeping solar adoption affordable.
- Given the elimination of federal financial incentives for residential solar, the Town's reduction in permit fees provides some relief to owners.

This change represents an increase from the FY 2024–25 fee of $205, but is still approximately **50% below the full cost of service**. The difference will be subsidized by the General Fund.

The attached proposed resolution amends the photovoltaic permit fee and incorporates the new fee into the Town's Master Fee Schedule.

FISCAL IMPACT

The reduction from $940 to $450 will result in decreased cost recovery for photovoltaic permit processing. Based on recent volumes, staff estimates an annual revenue reduction of approximately $31,500 (using the 70 permits issued in FY2024-25) compared to full cost recovery. However, the number of permit applications may fall due to changes in federal policy. This amount will be absorbed as a subsidy from the General Fund.

GENERAL PLAN CONSISTENCY

Not applicable

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Adoption of the attached Resolution is statutorily and categorically exempt from the California Environmental Quality Act (CEQA) under Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273, because it involves approval of charges by the Town which the Town finds are for the purpose of meeting operating expenses, as demonstrated by the Fee Study completed in July 2025.

ATTACHMENTS

Attachment #1: Resolution Amending Photovoltaic Permit Application Fee

RESOLUTION NO. XXXX

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL AMENDING THE TOWN'S PHOTOVOLTAIC PERMIT APPLICATION FEES

WHEREAS, state law permits the Town to impose service fees for certain Town services, as long as those fees do not exceed the estimated reasonable costs of providing the service for which the fee is intended; and

WHEREAS, on December 11, 2018, the Town Council adopted Resolution No. 4258 to approve the Town of San Anselmo User Fee Study Report by Willdan Financial Services, dated October 2018 ("Fee Study") and to adopt the Town of San Anselmo User Fee Schedule; and

WHEREAS, Resolution No. 4258 directed the Town Manager or designee to conduct an annual internal review of the Master Fee Schedule to permit the automatic adjustment of various fees based on the annual change in the Consumer Price Index for All Urban Consumers San Francisco-Oakland-Hayward, California ("CPI"); and

WHEREAS, the Town retained Willdan Financial Services to conduct a comprehensive update of the 2018 study, and the 2025 User Fee Study, dated July 15, 2025, reflects current service costs, including fully burdened labor rates, departmental overhead, and Town-wide indirect costs, as supported by the Town's cost allocation plan; and

WHEREAS, the 2025 User Fee Study recommends adjustments to user fees across all Town departments, including increases, decreases, and new fees, in accordance with applicable laws, including Propositions 13, 218, and 2; and

WHEREAS, the Town Council reviewed the 2025 User Fee Study and the proposed Master Fee Schedule and found that the updated fees do not exceed the reasonable estimated cost of providing the service; and

WHEREAS, the Town provided all required public notice and conducted a duly noticed public hearing on July 22, 2025, in accordance with California Government Code Section 66018 and other applicable laws; and

WHEREAS, on July 22, 2025, the Town Council adopted the Fiscal Year 2025–2026 Master Fee Schedule, which included a photovoltaic permit fee of $940, based on the Town's 2025 User Fee Study; and

WHEREAS, in Fiscal Year 2024–25, the Town charged a photovoltaic permit fee of $205; and

WHEREAS, California Government Code Section 66015(c) limits permit fees for residential photovoltaic systems to $450, plus $15 per kilowatt above 15kW, unless the Town adopts written findings to justify a higher amount; and

WHEREAS, while the Town could prepare such findings, the Town Council finds that

doing so would not be the best use of staff resources and may discourage solar adoption; and

WHEREAS, the Town Council further finds that setting the fee at $450 results in the General Fund subsidizing approximately 50% of the true cost of service, but that such a subsidy is consistent with the Town's sustainability goals and policy priorities.

NOW, THEREFORE, THE TOWN COUNCIL HEREBY RESOLVES:

Section 1. Environment Review

The charges authorized by this resolution are exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA"), because it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment. (CEQA Guidelines §15061(b)(3)). More specifically, adopting the resolution is statutorily and categorically exempt from CEQA under Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273, because it involves approval of charges by the Town which the Town Council finds are for the purpose of meeting operating expenses, as demonstrated by the Fee Study.

Section 2. Adoption of Amended Master Fee Schedule

The Town Council hereby adopts the amended photovoltaic permit application fee of $450 and incorporates the amended fee into the Town of San Anselmo Schedule of User Fees attached hereto as Exhibit A and incorporated herein by reference ("Amended Master Fee Schedule"). Unless otherwise specified in the Amended Master Fee Schedule, all user fees shall be paid to the Town prior to the Town's performance of requested services. Pursuant to Resolution No. 4197, fees may be paid by credit card, debit card, or electronic fund transfer.

Section 3. Effective Date of Fees

The amended photovoltaic fees listed on the Amended Master Fee Schedule at Exhibit A will take effect on September 23, 2025. Pursuant to Resolution No. 2025-4594, all other fees are already in effect and shall remain in effect.

Section 4. Severability

The Town Council hereby declares that every section, paragraph, sentence, clause and phrase of this Resolution is severable. If any section, paragraph, sentence, clause or phrase of this Resolution is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the San Anselmo Town Council on the 23rd day of September, 2025, by the following vote:

AYES: Councilmember:
NOES: Councilmember:
ABSENT: Councilmember:
ABSTAIN: Councilmember:

_____
TARREL KULLAWAY
MAYOR

ATTEST:

_____
SERGE AVILA
TOWN CLERK

EXHIBITS

A. AMENDED SAN ANSELMO SCHEDULE OF USER FEES FY25-26

TOWN OF
SAN ANSELMO
EST. 1907

Amended Schedule of User Fees

Effective September 23, 2025

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Finance & Administration

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
1	Photocopies	$0.20	$0.20	Per page	Fee	Document with State requirements are charged per State Mandate
2	Returned check charge	$25.00	$25.00	Per incident	Regulated	
3	Certification	$21.00	$25.00	Per certification	Fee	
4	Appeals - Planning Applicant	$2,933.00	$3,749.00	Per appeal	Fee	Town Attorney costs will be passed on directly to applicant as incurred and the Town may request a deposit to cover the cost of anticipated town attorney time
5	Appeals - Non-Applicant	$940.00	$1,000.00	Per appeal	Fee	Town Attorney costs will be passed on directly to applicant as incurred and the Town may request a deposit to cover the cost of anticipated town attorney time
6	Appeals - General	$940.00	$1,000.00	Per Appeal	Fee	Town Attorney costs will be passed on directly to applicant as incurred and the Town may request a deposit to cover the cost of anticipated town attorney time
7	Proof of Residency/Living Certification	$16.00	$20.00	Per request	Fee	
8	Notary Fee		$15.00	Per Signature	Fee	
	Business License Fees:					
9	Transfer Fee	$20.00	$10.00	Per transfer	Fee	
10	Business License Penalty	10%	10%	Per month	Penalty	Max. 50%
	Gross receipts:					
11	$0 - $7,500	$15.00	$15.00		Tax	
12	$7,501 - $15,000	$30.00	$30.00		Tax	
13	$15,001 - $25,000	$45.00	$45.00		Tax	
14	$25,001 - $50,000	$60.00	$60.00		Tax	
15	$50,001 - $100,000	$100.00	$100.00		Tax	
16	$100,001 - $250,000	$150.00	$150.00		Tax	
17	$250,001 - $500,000	$300.00	$300.00		Tax	

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
18	$500,001 - $750,000	$450.00	$450.00		Tax	
19	$750,001 - $1,000,000	$600.00	$600.00		Tax	
20	$1,000,001 - $2,000,000	$800.00	$800.00		Tax	
21	$2,000,001 - $3,000,000	$1,200.00	$1,200.00		Tax	
22	$3,000,001 - $4,000,000	$1,500.00	$1,500.00		Tax	
23	$4,000,001 - $5,000,000	$2,100.00	$2,100.00		Tax	
24	$5,000,001 - $10,000,000	$3,000.00	$3,000.00		Tax	
25	$10,000,001 - $25,000,000	$4,500.00	$4,500.00		Tax	
26	$25,000,000 - and over	$4500 + .01%	$4500 + .01%		Tax	
27	Hotels/Motels/Inns	$17.00	$17.00	Per unit	Tax	
28	Rental of one or more dwelling units or guest rooms within a rooming house, boarding house, single family dwelling, apartment, condominium, houseboat, or other residential structure containing guest rooms or dwelling units	$17.00	$17.00	Per unit	Tax	
29	General contractors and subcontractors	$30.00	$30.00	Per quarter	Tax	
30	General contractors and subcontractors	$100.00	$100.00	Per year	Tax	
31	Auctioneers	$50.00	$50.00	Per day	Tax	
32	Peddlers, solicitors	$25.00	$25.00	Per day	Tax	
33	Peddlers, solicitors	$150.00	$150.00	Per quarter	Tax	
34	Peddlers, solicitors	$500.00	$500.00	Per year	Tax	
35	Circuses or carnivals	$400.00	$400.00	First day	Tax	
36	Circuses or carnivals	$300.00	$300.00	Per additional day	Tax	
37	Commercial & still film permits (public property) : 1-3 persons	$100.00	$100.00	Per day	Tax	
38	Commercial & still film permits (public property) : 4-6 persons	$200.00	$200.00	Per day	Tax	
39	Commercial & still film permits (public property) : 7-9 persons	$300.00	$300.00	Per day	Tax	
40	Commercial & still film permits (public property) : 10 + persons	$400.00	$400.00	Per day	Tax	
41	Commercial & still film permits (private property): 1-3 persons	$50.00	$50.00	Per day	Tax	
42	Commercial & still film permits (private property): 4-6 persons	$100.00	$100.00	Per day	Tax	
43	Commercial & still film permits (private property): 7-9 persons	$150.00	$150.00	Per day	Tax	
44	Commercial & still film permits (private property): 10+ persons	$200.00	$200.00	Per day	Tax	

Finance & Administration

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
45	Taxicabs	$60.00	$60.00	Per vehicle	Tax	
46	Trucks/vans/delivery vehicles - less than 1/2 ton capacity	$22.50	$22.50	Per vehicle	Tax	
47	Trucks/vans/delivery vehicles - not exceeding 1 ton capacity	$37.50	$37.50	Per vehicle	Tax	
48	Trucks/vans/delivery vehicles - not exceeding 1-1/2 ton capacity	$75.00	$75.00	Per vehicle	Tax	
49	Trucks/vans/delivery vehicles - not exceeding 2 ton capacity	$112.50	$112.50	Per vehicle	Tax	
50	Trucks/vans/delivery vehicles - not exceeding 3 ton capacity	$150.00	$150.00	Per vehicle	Tax	
51	Trucks/vans/delivery vehicles - over 3 ton capacity	$225.00	$225.00	Per vehicle	Tax	
52	Christmas tree lots	$45.00	$45.00	Per year	Tax	
53	Commercial leased property	$0.02	$0.02	Per sq ft.	Tax	$50 minimum, $220 Maximum
54	Business located out of San Anselmo but use San Anselmo P.O. Box for business	$50.00	$50.00	Per year	Tax	
55	Real estate broker in San Anselmo	$100.00	$100.00	Per year	Tax	Plus $10 per desk
56	Real estate broker in San Anselmo	$10.00	$10.00	Per desk	Tax	
57	Real estate broker out of San Anselmo	$150.00	$150.00	Per year	Tax	
58	Omnibus (all other categories)	$50.00	$50.00	Per year	Tax	
59	Business License List	$1.00	$1.00	Per page	Tax	
60	Tobacco Retailer License	$50.00	$50.00	Per year	Fee	

Public Works

Miscellaneous Items

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
1	Road Impact Fee	1.5% value of project	1.5% value of project	Percentage	Fee	
	Tree Removal Fees:					
2	Heritage Tree &/or Undeveloped Parcel Tree	$275 for 1st hour Hourly rate thereafter	$325 for 1st hour Hourly rate thereafter	Per permit	Fee	For dead, dying or dangerous trees fee may be waived. Replacement trees may required for each tree removed.
3	Street Tree	$140.00	$190.00	Per permit	Fee	This is the cost for both removal and planting of street trees
4	After the fact - Tree or Heritage Tree Removal Fine	$2,301.00	$2,301.00	Per tree	Penalty	$2,050 Maximum as determined by the Public Works Director
	Encroachment Permit Fees:					
5	Minor work	$174.00	$250.00	Per project	Fee	7-1.03 - Permit for curb cut for driveway entrance or approach (Street Superintendent) 7-1.08 – Adjustment and variance from driveway standards (City Engineer) 7-3.02 – Street cut or excavation permits (Public Works) 7-4.02 - Temporary street obstruction permits 7-5.09 - Permits to construct sidewalk, walkway, and/or driveway from curb to property line (Public Works)
6	Major work (over $2,500)	4% value of project or as Determined by Public Works Director per Town Code	4% value of project or as Determined by Public Works Director per Town Code	Percentage	Fee	7-1.03 - Permit for curb cut for driveway entrance or approach 7-1.08 – Adjustment and variance from driveway standards 7-3.02 – Street cut or excavation permits 7-4.02 - Temporary street obstruction permits 7-5.09 - Permits to construct sidewalk, walkway, and/or driveway from curb to property line Major Work Fees vary depending on time to review and inspect during the course of the project
7	Sidewalks/Driveways - new & repair; debris or storage box	$121.00	$200.00	Per project	Fee	
8	Revocable Encroachment Permit for structures in town right-of-way	$355.00	$425.00	Per project	Fee	
9	Revocable Encroachment Permit for temporary use of town right-of-way (restaurant outdoor seating)	$150.00	$195.00	Per project	Fee	7-5.11-permit for mailbox inright of way
10	Plan Check-when applicable	Hourly Staff Rate	Hourly Staff Rate	Per hour	Fee	Rate depends on actual Staff rate
11	Private Parklet Application	$950.00	$950.00	Per Application	Fee	
12	Private Parklet	$2,520.00	$2,520.00	Per space	Fee	

Public Works

	Miscellaneous Items					
#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
	Fence Permit Fees:					
13	Fences within setbacks abutting street	$113.00	$195.00	Per project	Fee	
14	Stop Work Fee for working without a permit	Up to 3 times value of Public Works Permit Fee	Up to 3 times value of Public Works Permit Fee	Per project	Penalty	Determined by the Public Works Director. 0-3 times based on stop work circumstances. If unpermitted work is identified by the Town and the owner addresses issues promptly, fee may be waived or 1 times the permit fee. However, if unpermitted work is not addressed and owner is uncooperative, fee may be up to 3 times the permit fee.
15	Plan Check-when applicable	$160.00	$225.00	Per hour	Fee	
	Grading Permit Fees: UBC Appendix Chapter 33 Table A-33B					
16	100cy or less	$134.00	$200.00	100 cy or less	Fee	
17	101cy to 1,000cy	$134.00	$200.00	First 100 cy	Fee	Plus $17.85 for each add'l 100 cy
18	1,001cy to 10,000cy	$411.00	$600.00	First 1,000 cy	Fee	Plus $14.80 for each add'l 1,000cy
19	10,001cy to 100,000cy	$411.00	$875.00	First 10,000 cy	Fee	Plus $67.50 for each add'l 10,000cy
20	100,001 and above	$1,368.00	$2,068.11	First 100,000 cy	Fee	Plus $37.00 for each add'l 100,000cy
	Grading Plan Review Fees: UBC Appendix Chapter 33 Table A-33A					
21	100cy or less	$134.00	$195.00	100 cy or less	Fee	
22	101cy to 1,000cy	$266.00	$325.00	First 100 cy	Fee	
23	1,001cy to 10,000cy	$355.00	$415.00	First 1,000 cy	Fee	
24	10,001cy or more	$355.00	$415.00	First 10,000 cy	Fee	$25.00 each add'l 10,000cy
25	Grading permit fee for work without a permit	3 times value of Public Works Permit Fee	3 times value of Public Works Permit Fee	Per project	Penalty	$500 minimum- determined by PW Director
26	Water Wells - potable and landscape wells	$203.00	$265.00	Per well	Fee	
27	Grading Permit Extension Fee	$179.00	$240.00	Per permit	Fee	

Public Works

	Miscellaneous Items					
#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
	Sidewalk Maintenance Program - Administration Fees					
28	First $200	$54.00	$65.00		Fee	
29	$201 - $500	$50 plus 15% of amount over $200 ($100 Max)	$50 plus 15% of amount over $200 ($100 Max)		Fee	$100 Max
30	$501 - $1,500	$85 plus 10% of amount over $500 ($200 Max)	$85 plus 10% of amount over $500 ($200 Max)		Fee	$200 Max
31	Over $1,500	$197 plus 5% of amount over $1,500	$197 plus 5% of amount over $1,500		Fee	No Max
32	Arborist Site Visit and Arborist Report	$244.00	$250.00	Per hour	Fee	
33	Street Cut Inspection	$236.00	$280.00	Per hour	Fee	
34	Street Crew Cost (Red Curb Painting)	Fees Waived	Fees Waived	Per project	Fee	
35	Temporary Trailer Fee	Fees Waived	Fees Waived	Per Trailer	Fee	Permit for temporary trailers for habitation during construction and after disasters
36	Abandonment	$1,000 min + # hours of consultant time	$1,000 min + # hours of consultant time	Per hour	Fee	$1,000 minimum to be billed hourly
37	Penalty fee for After The Fact permits	3x permit cost or $500 min. *Determined by building official or DPW director*	3x permit cost or $500 min. *Determined by building official or DPW director*	Per project	Penalty	
38	DPW- RED TAG FEE	3x permit cost or $500 min. *Determined by building official or DPW director*	3x permit cost or $500 min. *Determined by building official or DPW director*	Per project	Penalty	
39	Encroachment permit extension fee	$91.00	$125.00	Per project	Fee	
40	Charging Interest on Abatements	1% Monthly	1% Monthly	Per project	Fee	
41	Oversize Vehicle Permit - Single	$20.00	$25.00	Per trip	Fee	$92 - Annual
42	Street Light Shield	$296.00	$250.00	Per shield	Fee	
43	Stormwater Violation Fees	$100 - 1ST VIOLATION $200 - 2ND VIOLATION $500 - 3RD VIOLATION, ETC	$100 - 1ST VIOLATION $200 - 2ND VIOLATION $500 - 3RD VIOLATION, ETC	Per occurrence	Fee	
44	Block Party Fee	Fees Waived	Fees Waived	Per occurrence	Fee	

Public Works

Miscellaneous Items

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
45	Extension Fee- For Permits Excluding Encroachment	$91.00	$125.00	Per project	Fee	
46	Reactivation Fee	$121.00	$150.00	Per project	Fee	
47	Flatwork Permit - Small/Medium less than 1000 sq ft	$121.00	$150.00	Per project	Fee	
48	Flatwork Permit - Large Over 1000 sq ft	$355.00	$405.00	Per project	Fee	
49	Floodplain Development Permit	$100 deposit + hourly	$100 deposit + hourly	Per hour	Fee	7-11.403 Special flood hazard area development permit 7-11.402 – Review of required certifications for floodplain Development permits: (1) Certification required by Section 7-11.501(c)(1) and Section 7-11.504 (lowest floor elevations); (2) Certification required by Section 7-11.501(c)(2) (elevation or floodproofing of nonresidential structures); (3) Certification required by Section 7-11.501(c)(3) (wet floodproofing standard); (4) Certification of elevation required by Section 7-11.503(a)(3) (subdivisions and other proposed development standards); (5) Certification required by Section 7-11.506(b) (floodway encroachments); (6) "NON-CONVERSION AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" recorded deed restriction, review by town attorney
50	Permit to place newsrack on public property	$100 deposit + hourly	$100 deposit + hourly	Per rack	Fee	
51	Frontage Improvement Fees	At Cost of Requirement	At Cost of Requirement	Per project	Fee or work in lieu of	Public Works reviews frontage improvement requirements based on the code requirements in the right of way related to ADA, drainage, emergency vehicle access etc.
52	Watercourse Permit	$236.00	$325.00	Per project	Fee	Fee may be waived for emergency projects at the discretion of Public Works Director
53	Floodplain Development Permit	$121.00	$200.00	Per project	Fee	
54	Lot line (Propety Line Adjustment)	$1,000.00	$900.00	Deposit	Fee	
55	Well Permit	$266.00	$325.00	Per project	Fee	
56	Maintenance Supervisor	$157.00	$200.00	Per hour	Fee	
57	Maintenance Worker I	$98.00	$140.00	Per hour	Fee	
58	Senior Maintenance Worker	$135.00	$170.00	Per hour	Fee	

Library

	Miscellaneous Items					
#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
	Print Materials					
1	Books lost or damaged beyond use	Actual Cost	Actual Cost		Fee	
2	Processing Fee	$5.00	$5.00	Per incident	Fee	
	Audio Visual Materials					
3	A-V materials lost or damaged beyond use	Actual Cost	Actual Cost	Per Item	Fee	
	Inter-Library Loan Fees:					
4	Link +	$0.00	$0.00	Per day	Fee	$115 Replacement
5	ILL - Other	$5.00	$5.00	Per request	Fee	Postage may apply
	Other Fees					
6	Photocopies/Computer Printing Black and White	$0.20	$0.20	Per page	Fee	
7	Photocopies/Computer Printing Color	$0.75	$0.75	Per page	Fee	
8	Take & Make Kits, Memory Kits, lost or damaged beyond use	Actual Cost	Actual Cost	Per Item	Fee	$50 Fee if item is returned to other library
9	Museum Passes	$0.00	$0.00	Per day	Fee	

Building

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
1	PreApplication Meeting - Non-commercial uses (Building)	$226.00	$226.00	Flat fee	Fee	Plus applicant pays $100 to Ross Valley Fire Department
2	PreApplication Meeting - Commercial Uses (Building)	$0.00	$0.00	Flat fee	Fee	
3	Fee for Building Permit Plan-Check	65% of permit fee Building Valuation table will increase 2.5% for all base rates	65% of permit fee *Building Valuation table will increase 2.5% for all base rates*	Percentage	Fee	Plan check beyond 2 submittals @ staff hr rate
4	Building Permit Plan Review - 3rd Party Consultant	Consultant cost + 25%	Consultant cost + 25%	Per hour	Fee	Plan check or review as required by outside consultant
5	Building Third Party Plan Check Fee (not including 3rd Party Fee)	50% of permit fee on top of third-party costs	50% of permit fee on top of third-party costs	Percentage	Fee	This fee is in addition to the 3rd Party fee and covers internal plan check costs including assignment to 3rd party, review of 3rd party plan check, response to applicant, architect and engineering questions, etc.
6	Stop Work Fee for working without a permit; retroactive permit penalty fee	Up to 5 times value of Permit Fee (Minimum $500)	Up to 5 times value of Permit Fee (Minimum $500)	Per project	Penalty	Determined by the Department Director or Building Official. 0-5 times based on stop work circumstances. If work stops immediatley and the owner addresses issues promptly, the fee may be waived or 1-3 times the permit fee. However, if work continues and owner is uncooperative, fee may be up to 5 times the permit fee.
7	Energy Fees - projects affecting heated space	15% of Bldg Permit Fee	15% of Bldg Permit Fee	Percentage	Fee	
8	Code Compliance Fee	$339.00	$2,210.00	Per hour	Fee	
9	Plumbing Permit	15% of Bldg Permit fee or $168 if not associated w/other work	15% of Bldg Permit fee or $168 if not associated w/other work	Percentage	Fee	Fee waived for graywater projects
10	Electrical Permit	15% of Bldg Permit fee or $168 if not associated w/other work	15% of Bldg Permit fee or $168 if not associated w/other work	Percentage	Fee	Fee waived for local EV charging, roof top solar, and tankless water heater

Building

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
11	Mechanical Permit	15% of Bldg Permit fee or $168 if not associated w/other work	15% of Bldg Permit fee or $168 if not associated w/other work	Percentage	Fee	
12	Demolition Permit	$266.00	$630.00	Per project	Fee	
13	Swimming Pool Permit	$703.00	$1,060.00	Per project	Fee	
14	Spa/Hot Tub Permit	$353.00	$530.00	Per project	Fee	
15	Photo-voltaic System Permit and EV charging	$940.00	$450.00	Per project	Fee	
16	Water Heater Replacement Permit	$153.00	$250.00	Per project	Fee	No longer Fee waived for Tankless Water Heater
17	Furnace Replacement Permit	$152.00	$250.00	Per project	Fee	
18	Re-Roof Permit Residential	$179.00	$310.00	Per project	Fee	Fee waived for Cool Roof Initiatives
19	Re-Roof Permit Commercial	Bldg Permit Fee	Bldg Permit Fee	Per project	Fee	Fee waived for Cool Roof Initiatives
20	Technology Fee	8.8% of Bldg Permit fees	3% of Bldg Permit fees	Percentage	Fee	
21	Training Fee	3% of Bldg Permit fee	3% of Bldg Permit fee	Percentage	Fee	
22	Permit Administrative Fee (change of owner, contractor, arch/engr.)	$44.00	$150.00	Per project	Fee	
23	Window replacement (not associated with other work)	$266.00	$470.00	Per project	Fee	
24	Minor Bathroom Remodel Permit Fee	$706.00	$1,140.00	Per project	Fee	OTC $15,000 max. value of project
25	Minor Kitchen Remodel Permit Fee	$946.00	$1,410.00	Per project	Fee	OTC $25,000 max. value of project
	Plan Checks:					
26	Plumbing Plan Check	15% of Bldg Permit Fee or 65% of Plumbing Permit Fee	15% of Bldg Permit Fee or 65% of Plumbing Permit Fee	Percentage	Fee	If work not associated with Bldg Permit ($25 min). Fee waived for graywater projects
27	Electrical Plan Check	15% of Bldg Permit Fee or 25% of Electrical Permit Fee	15% of Bldg Permit Fee or 25% of Electrical Permit Fee	Percentage	Fee	If work not associated with Bldg Permit ($25 min)

Building

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
28	Mechanical Plan Check	10% of Bldg Permit Fee or 65% of Mechanical Permit Fee	10% of Bldg Permit Fee or 65% of Mechanical Permit Fee	Percentage	Fee	If work not associated with Bldg Permit ($25 min)
29	Pool Plan Check	$500.00	$750.00	Per project	Fee	
30	Spa/Hot Tub Plan Check	$230.00	$750.00	Per project	Fee	
31	Plan Checks after 2 Plan Checks	Consultant Fee	Consultant Fee	Per hour	Fee	Consultant Fee
32	Plan Check for revisions after permit issued	$217.00	$320.00	Per hour	Fee	Time charged at hourly Building Official rate and an additional hour for each submittal. Minimum one hour per submittal.
	Staff Hourly Rate:					
33	Building Official	$217.00	$320.00	Per hour	Fee	
34	Building Inspector	$157.00	$230.00	Per hour	Fee	
35	Street Bond	Determined by Public Works Director	Determined by Public Works Director	Per project	Bond	Reimbursable if no damage to street/public right of way
36	Gross Receipts Tax on all projects done by a contractor	$0.50	$0.50	Per $1,000 valuation	Fee	
37	Seismic Fee - State fee on all residential and commercial work	$0.10	$0.10	Per $1,000 valuation	Fee	
38	Green Building Fee	$1.00	$1.00	Per $25,000 valuation	Fee	
	Residential Resale Reports:					
39	Single Family Residence	$355.00	$1,010.00	Per report	Fee	
40	Multi-Family Residences	$346.00	$1,240.00	Per report	Fee	
41	Multi-Family Residences - additional unit	$59.00	$130.00			
42	Failure To Obtain Report	1X Report Fee	2X Report Fee	Per report	Fee	
43	Reinstatement of Building Permit Fee	50% of bulding permit fee	50% of bulding permit fee	Per project	Fee	
44	Extension of Building Permit Fee	$121.00	$190.00	Per project	Fee	
45	Penalty fee for After The Facts permits	Up to 5 times value of Permit Fee; (Minimum $500)	Up to 5 times value of Permit Fee; (Minimum $500)	Per project	Fee	Determined by the Department Director or Building Offical. 0-5 times based on stop work circumstances. If unpermitted work is identified by the Town and the owner addresses issues promptly, the fee may be waived or 1-3 times the permit fee. However, if unpermitted work is not addressed and the owner is uncooperative, fee may be up to 5 times the permit fee.
46	Flood Gate Buidling Permits	Fees Waived	Fees Waived	Per project	Fee	
47	Admin./Permit Services Technician	$99.00	$150.00	Per hour	Fee	
48	Public Works Director	$275.00	$410.00	Per hour	Fee	

Building

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
49	Assistant Public Works Director	$217.00	$320.00	Per hour	Fee	
50	Assistant Engineer	$137.00	$210.00	Per hour	Fee	
51	Construction Inspector	Consultant Fee + 25%	Consultant Fee + 25%	Per hour	Fee	
52	Hourly Fee Community Development Director	$196.00	$210.00	Per hour	Fee	This used to be the Planning Director and the position has been changed to Community Development Director
53	Plan Storage		$2.00	Per hour	Fee	
54	In-house Plan Review		$217.00	Per Hour	Fee	

CEQA- Notice of Exemption

Building permit fee waived for an ADU subject to a recorded affordability restriction of 55 years to rent as an Affordable Unit reserved for occupancy by a Low Income Household at an Affordable Rent.

"Affordable Rent" is the maximum allowable Rent for an Affordable Unit that does not exceed one-twelfth (1/12) of thirty percent (30%) of eighty percent (80%) of Area Median Income as adjusted for Assumed Household Size.

"Area Median Income" means median yearly income in Marin County as published pursuant to California Code of Regulations, Title 25, Section 6932, or successor provision.

"Low Income Household" means a household whose Household Income does not exceed the lower income limits applicable to Marin County, adjusted for household size, as published annually by the California Department of Housing and Community Development; generally a household with a Household Income between fifty percent (50%) and eighty percent (80%) of Area Median Income, adjusted for actual household size.

Building Valuation Table
Current (All New Construction)

Minimum Value	Maximum Value	Base Rate	Plus $$	For every $1,000 and fraction thereof
0.00	0.00	0.00	0.00	0.00
1.00	3,999.00	149.11	0.00	0.00
4,000.00	24,999.00	149.11	19.46	1,000.00
25,000.00	49,999.00	557.88	11.83	1,000.00
50,000.00	99,999.00	853.82	8.95	1,000.00
100,000.00	499,999.00	1,301.14	7.27	1,000.00
500,000.00	999,999.00	4,211.78	6.29	1,000.00
1,000,000.00	and above	7,355.05	4.96	1,000.00

Building Valuation Table
Proposed (All New Construction)

Minimum Value	Maximum Value	Base Rate	Plus $$	For every $1,000 and fraction thereof
0.00	0.00	0.00	0.00	0.00
1.00	3,999.00	199.81	0.00	0.00
4,000.00	24,999.00	199.81	26.06	1,000.00
25,000.00	49,999.00	746.87	15.84	1,000.00
50,000.00	99,999.00	1,143.06	11.98	1,000.00
100,000.00	499,999.00	1,741.92	9.74	1,000.00
500,000.00	999,999.00	5,638.57	8.42	1,000.00
1,000,000.00	and above	9,846.60	6.63	1,000.00

Planning

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
1	Planning Commission Action Applications: Annexation	$11,727.00	$11,727.00	Per application	Deposit	Plus 25% overhead on consultant costs
2	Planning Commission Action Applications: General Plan Amendment	$5,000.00	$5,100.00	Per hour	Deposit	Plus 25% overhead on consultant costs
3	Planning Commission Action Applications: Rezoning	$5,000.00	$5,100.00	Per hour	Deposit	Plus 25% overhead on consultant costs
4	Planning Commission First Application/Hearing (For applications with a Planning Commission hearing such as Conditional Use Permit, Variance, Subdividision, Parcel Map, Lot Line Adjustment, Exceptions, Illuminated Sign, FAR Exception, Demolition Permit, Grading Permits, Sign Program, move building). Includes review of one plan revision.	$3,500.00	$3,500.00	Per hour	Deposit	
5	Minor Exception - Administrative	$500.00	$280.00	Per hour	Deposit	
6	Lot Merger - Administrative	$500.00	$390.00	Per hour	Deposit	
7	Residential Design Review - Planning Director	$1,200.00	$1,350.00	Per hour	Deposit	
8	Commercial Design Review - Planning Director	$1,200.00	$1,350.00	Per hour	Deposit	
9	Administrative Sign Review, conforming	$58.00	$60.00	Flat fee	Fee	
10	Mural Review	$58.00	$90.00	Flat fee	Fee	
11	Certificates of Compliance	$2,728.00	$2,728.00	Per certification	Deposit	Plus 25% overhead on consultant costs
12	Initial Study & Negative Declarations	Consultant cost + 25%	Consultant cost + 25%	N/A	Deposit	
13	Environmental Impact Reports	Consultant cost + 25%	Consultant cost + 25%	N/A	Deposit	
14	Peer Reviews	Consultant cost + 25%	Consultant cost + 25%	N/A	Deposit	

Planning

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
15	Hourly Fee Planner	$140.00	$120.00	Per hour	Fee	
16	Hourly Fee Senior Planner	$156.00	$140.00	Per hour	Fee	
17	Hourly Fee Principle Planner	$0.00	$160.00	Per hour	Fee	
18	Hourly Fee Director	$196.00	$210.00	Per hour	Fee	
19	General Plan maintenance	10% of Building Permit and Planning fees	10% of Building Permit and Planning fees	Percentage	Fee	
20	Training fee	5% of application fees	5% of application fees	Percentage	Fee	
21	Technoloy Fee	5% of application fees	3% of application fees	Percentage	Fee	
22	Photocopies, per page (State requirement documents are charged per State Mandate)	$0.20	$0.20	Per copy	Fee	
23	Planning Director requests for reasonable accommodation SAMC Sec. 10-10.03	$539.00	$610.00	Flat fee	Fee	
24	Zoning ordinance amendment SAMC Sec. 10-3.803	$10,500.00	$10,500.00	Per hour	Deposit	plus 25% overhead on any consultant costs
25	Preliminary or Specific Planned Development District SAMC Sec. 10-3.904	$5,000.00	$5,740.00	Per hour	Deposit	
26	Final Map (if dedications are involved) SAMC Sec. 10-2.603	$5,000.00	$5,000.00	Per hour	Deposit	plus 25% overhead for consultant costs

Planning

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
27	Tentative parcel and tract map and final parcel and tract maps – Planning Director SAMC Sec. 10-3.1201	$1,200.00	$620.00	Per hour	Deposit	Plus $2,000 deposit to cover consultant and 25% overhead
28	Conditional Use Permit Planning Director SAMC Sec. 10-3.1303	$1,200.00	$1,350.00	Per hour	Deposit	
29	Notice of public hearing - SAMC Sec. 10-3.1602 and 10-3.1603	$196.00	$215.00	Flat fee	Fee	Plus cost of publication if required
30	Renewal of a discretionary action SAMC Sec. 10-3.1608	$1,200.00	$160.00	Per hour	Deposit	
31	Applications and determinations of unmergers (Public Works or Council) SAMC Sec. 10-3.273	$3,500.00	$3,500.00	Per hour	Deposit	
32	Application for expanded telecommunication facilities Administrative	$1,200.00	$1,970.00	Per hour	Deposit	plus $10,000 deposit to cover consultant cost plus 25%
33	Application for design review/use permit for telecommunication facilities (Planning Commission)	$3,500.00	$4,140.00	Per facility	Deposit	plus $10,000 deposit to cover consultant cost plus 25%
34	Application for density bonus SAMC Sec. 10-11.050 Administrative	$1,200.00	$1,150.00	Per hour	Deposit	
35	Remove deed restriction - Administrative	$1,200.00	$430.00	Per hour	Deposit	Plus any notary and recording costs
36	Residential chicken-keeping permit SAMC Sec. 5-1.05	$0.00	$0.00	N/A	N/A	
37	PreApplication Meeting - Non-commercial uses (Planning)	$108.00	$1,090.00	Flat fee	Fee	Plus applicant pays $100 to Ross Valley Fire Department
38	Review of Home Occupation Application	$0.00	$0.00	N/A	N/A	
39	Review of Use Proposal or Business License Application	$0.00	$0.00	N/A	N/A	

Planning

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
40	Penalty for work without a permit	3x Application Fee	3x Application Fee	Per application	Penalty	
41	Remove deed restriction to allow a second unit	$0.00	$0.00	N/A	N/A	Plus any notary and recording costs
42	PreApplication Meeting - Commercial Uses	$0.00	$0.00	N/A	N/A	
43	Lot Line Adjustment - Planning Director	$1,200.00	$1,200.00	Per hour	Deposit	
44	Streamlined Review under Ca.Govt. Code Sec. 65913.4 (SB 35)	$5,000.00	$5,000.00	Per hour	Deposit	
45	Change of Address (property owner request)	$308.00	$308.00	Flat fee	Fee	
46	Inclusionary Housing and Commercial Linkage Fee	$406,051.00	$406,051.00	Flat fee	Fee	
	Commercial/Non-Residential Development Projects					
47	Commercial linkage fee - Office	$10.00	$10.00	Fee per Sq Ft of Net New Gross Floor Area		
48	Commercial linkage fee - Retail	$8 up to 2500 sq ft $10 for over 2500 sq ft	$8 up to 2500 sq ft $10 for over 2500 sq ft	Fee per Sq Ft of Net New Gross Floor Area	Fee	
49	Commercial linkage fee - Restaurant	$5.00	$5.00	Fee per Sq Ft of Net New Gross Floor Area	Fee	
50	Commercial linkage fee - Other	Fee calculated using Excel-Based Fee Calculator	Fee calculated using Excel-Based Fee Calculator	Fee per Sq Ft of Net New Gross Floor Area	Fee	
51	Penalty fee for After The Fact permits		3x permit cost or $500 min. Determined by Community Development Director or Designee	Per Project	Fee	
52	SB 9 Urban Lot Split- Title 10, Chapter 4- GOVERNMENT CODE SECTION 65852.21		$1,200.00	Per hour	Deposit	Plus $5000 deposit to cover consultant cost plus 25%
53	SB 9 Development Project-Title 10, Chapter 4- GOVERNMENT CODE SECTION 65852.21		$1,200.00	Per hour	Deposit	
54	ODDS- Ministerial Review Per Title 10, Chapter 20		$5,000.00	Per hour	Deposit	
55	Plan Storage		$2.00	Per Page	Fee	
56	Mural-Private		$210.00	Flat fee	Fee	
57	CEQA- Notice of Exemption		$520.00	Flat fee	Fee	

ENVIRONMENTAL REVIEWS: Fees charged by outside agencies for review/process of environmental documents will be charged to the applicant in addition to the fees herein.

ALL PLANNING APPLICATIONS: Town Attorney costs will be passed on directly to applicant as incurred and the Town may request a deposit to cover the cost of anticipated town attorney time.

DEPOSITS will be charged at the fully burdened hourly rate calculation for each staff position.

Recreation

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
	Administrative Rates					
1	Administrative Registration Fee	$10.00	$10.00	Per class	Fee	
2	Older Adult Fee	$1.00	$1.00	Per Transaction	Fee	$1/transaction to subsidize older adult
3	Cancelation Fee	$25.00	$25.00	Per class	Fee	
4	Event Application Fee	$95.00	$95.00	Per application	Fee	Fee for speical event applications to cover staff time
5	Security Deposit - Picnic Rentals	$85.00	$100.00	Per occurrence	Deposit	
6	Security deposit - Facility Rentals	$350.00	$350.00	Per occurrence	Deposit	
	Tennis Key Fees:					
7	Resident (R): Full Year	$43.00	$0.00	Per year	Fee	
8	Resident (R): Jul-Dec	$32.00	$0.00	Every six months	Fee	
9	Non-Resident (NR): Full Year	$101.00	$101.00	Per year	Fee	
10	Non-Resident (NR): Jul-Dec	$66.00	$66.00	Every six months	Fee	
	Sign Fees					
11	Hub Sign	$126.00	$126.00	Per week	Fee	
12	Sir Francis Drake Street Banner	$383.00	$390.00	Per week	Fee	
	Facility Rental Fees - Picnic & Park Areas 3 Hour Minimum Rental					
13	Memorial Park - Small Picnic Area - R	$40.00	$40.00	Per hour	Fee	
14	Memorial Park - Small Picnic Area -NR	$43.00	$44.00	Per hour	Fee	
15	Memorial Park - Large Picnic Area - R	$51.00	$51.00	Per hour	Fee	
16	Memorial Park - Large Picnic Area - NR	$56.00	$58.00	Per hour	Fee	
17	Memorial Park - Large Picnic Area - Inflatable Jumper Fee	$66.00	$70.00	Per hour	Fee	
18	Robson Park - Upper Picnic Area - R	$35.00	$35.00	Per hour	Fee	
19	Robson Park - Upper Picnic Area - NR	$43.00	$43.00	Per hour	Fee	
20	Robson Park - Lower Picnic Area - R	$41.00	$41.00	Per hour	Fee	
21	Robson Park - Lower Picnic Area - NR	$54.00	$54.00	Per hour	Fee	

Recreation

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
	Athletic Field Rental Fees - 2 Hour Minimum Rental					
	Memorial Park - Single Baseball Field					
22	Group A	$55.00	$55.00	Per hour	Fee	Non-Profit organizations, school related groups, community organizations that charge a nominal fee to cover their expenses (Scouts, Homeowners Assoc., Youth Sports Groups, religious organizations, etc.)
23	Group B	$78.00	$78.00	Per hour	Fee	Private individuals, non-profit fundraising activities
24	Group C	$97.00	$97.00	Per hour	Fee	Commercial, for profit groups
	Indoor Facilities					
25	ICC Kitchen, Lower Classrooms (2 hr min.) Resident	$34.00	$34.00	Per hour	Fee	
26	ICC Kitchen, Lower Classrooms (2 hr min.) Non-Resident	$46.00	$46.00	Per hour	Fee	
27	ICC Vista Room, (2 hr min.) Resident	$39.00	$39.00	Per hour	Fee	
28	ICC Vista Room, (2 hr min.) Non- Resident	$57.00	$57.00	Per hour	Fee	
	Robson Harrington Weekend Rental - First Floor (4 hr min.)					
29	Group A	$91.00	$91.00	Per hour	Fee	Non-Profit organizations, school related groups, community organizations (Scouts, Homeowners Assoc., Youth Sports Groups, religious organizations, etc.)
30	Group B	$96.00	$96.00	Per hour	Fee	Private individuals, non-profit fundraising activities
31	Group C	$113.00	$113.00	Per hour	Fee	Commercial, for profit groups
	Community Gardens					
32	Dues	$154.00	$154.00	Per plot	Fee	
33	Street Closure Fee	$0.00	$325.00	Per Event	Fee	

Police

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
1	Merchant Parking Permits	$25.00	$25.00	Per year	Fee	
2	Overnight Parking Permits	$50.00	$50.00	Per year	Fee	
3	Vehicle Impound Release	$100.00	$100.00	Per incident	Fee	
4	Clearance/Citizen Letter	$20.00	$20.00	Per request	Fee	
5	Report Copy fee	$10.00	$10.00	Per report	Fee	
6	Fingerprinting "rolling" fee	$20.00	$20.00	Per event	Fee	
	Violations:					
7	Sign Retrieval	$26.00	$26.00	Per violation	Penalty	
8	Parked without permit	$47.00	$47.00	Per violation	Penalty	
9	Parked contrary to signs & markings	$47.00	$47.00	Per violation	Penalty	
10	Improperly parked in marked space	$47.00	$47.00	Per violation	Penalty	
11	No Parking/Stopping Red Zone	$67.00	$67.00	Per violation	Penalty	
12	No Parking Yellow/Green/White	$54.00	$54.00	Per violation	Penalty	
13	Failure to Curb Wheels on 3% Grade	$47.00	$47.00	Per violation	Penalty	
14	Parked in Excess of 72 Hours	$167.00	$167.00	Per violation	Penalty	
15	Parked in Excess of 2 Hours	$47.00	$47.00	Per violation	Penalty	
16	Restricted Parking Only	$47.00	$47.00	Per violation	Penalty	
17	Night Parking - 30 minute Limit 2AM-6AM	$26.00	$26.00	Per violation	Penalty	
18	Posted No Parking	$47.00	$47.00	Per violation	Penalty	
19	Parked without 12' clearance	$59.00	$59.00	Per violation	Penalty	
20	No Parking on Private Property without consent	$47.00	$47.00	Per violation	Penalty	
21	Expired Meter	$47.00	$47.00	Per violation	Penalty	
22	No Parking on Crosswalk	$47.00	$47.00	Per violation	Penalty	
23	No Parking Blocking Driveway	$47.00	$47.00	Per violation	Penalty	
24	No Parking on Sidewalk	$47.00	$47.00	Per violation	Penalty	
25	No Parking Wheelchair Ramp Access	$312.00	$312.00	Per violation	Penalty	
26	No Parking/Stopping in Fire Lane/Road	$47.00	$47.00	Per violation	Penalty	
27	Parked in excess of 18" from curb	$47.00	$47.00	Per violation	Penalty	
28	Blue Zone - Handicapped Only	$312.00	$312.00	Per violation	Penalty	
29	No Parking within 15' of Fire Hydrant	$47.00	$47.00	Per violation	Penalty	
30	Parked on school grounds for sale	$35.00	$35.00	Per violation	Penalty	
31	Parked in intersection, crosswalk, sidewalk, in front of a driveway, more than 18" from the curb or facing the wrong way	$47.00	$47.00	Per violation	Penalty	
32	Double parked	$47.00	$47.00	Per violation	Penalty	
33	Overtime parking, illegally parked on school grounds, vehicle parked for sale on street, illegally parked, posted vehicle for sale and loading zone	$47.00	$47.00	Per violation	Penalty	
34	Tow Away Zone	$52.00	$52.00	Per violation	Penalty	

Police

#	Description	Current Fee/Charge	Proposed Fee/Charge	Unit	Type	Notes
35	Expired tabs	$93.00	$93.00	Per violation	Penalty	
36	Vehicle for sale on street	$120.00	$120.00	Per violation	Penalty	
37	Parked on parkway	$120.00	$120.00	Per violation	Penalty	
38	Abandoned vehicle	$299.00	$299.00	Per violation	Penalty	
39	Parked in area for handicapped	$312.00	$312.00	Per violation	Penalty	
40	Blocking handicapped access ramp	$312.00	$312.00	Per violation	Penalty	
41	Handicapped parking	$312.00	$312.00	Per violation	Penalty	
42	Disabled crosshatch markings	$312.00	$312.00	Per violation	Penalty	
43	Parked in restricted EV charging spaces and Town's on- and off-street parking facilites	$47.00	$47.00	Per violation	Penalty	
44	Daylighting Parking	$47.00	$47.00	Per violation	Penalty	
	OVERSIZED VEHICLE FEES:					
45	Single trip permit	$16.00	$16.00	Per trip	Regulated	
46	Repetitive trip permit	$16.00	$16.00	Per trip	Regulated	max $90 for 6 mo period
47	Annual trip permit	$16.00	$16.00	Per trip	Regulated	max of $90 for 1 yr period
48	Oversized Vehicle Escort Fee	$22.00	$22.00	Per trip	Fee	

Town of San Anselmo - User Fee

Fully Burdened Hourly Rate

Position	Fully Burdened Hourly Rate
Position Rates	**Proposed**
Administrative Serv Asst II	68.42
Admin/Permit Serv Technician	77.86
Administrative Serv Asst	62.85
Assistant Civil Engineer	94.39
Assistant Planner	88.09
Assistant Public Works Director	138.46
Associate Planner	96.92
Building Inspector	100.83
Building Official	138.46
Child Care Instructor	47.67
Code Enforcement Officer	81.08
Community Development Director	174.16
Community Engagement Coordinator	94.39
Community Services Director	138.46
Fin & Admin Services Director	165.82
Groundskeeper Trainee	29.61
Lead Library Assistant	63.37
Librarian I	75.75
Librarian II	84.79
Library Assistant	58.92
Library Technician	67.18
Maintenance Supervisor	90.18
Maintenance Worker I	63.28
Maintenance Worker II	69.64
Management Analyst	77.86
Planning Director	158.18
Planning Technician	79.93
Principal Planner	117.29
Project Coordinator	88.09
Public Works Director	178.75
Public Works Manager	119.71
Recreation Coordinator I	62.85
Recreation Coordinator II	68.42
Recreation Coordinator III	75.30
Recreation Manager	98.61
Recreation Program Leader	52.43
Recreation Senior Supervisor	90.39

STAFF REPORT

TOWN OF SAN ANSELMO **Item: 2.1**

MEETING DATE: 9/23/25

AGENDA TITLE: Review and Approve the Age & Disability Friendly Steering Committee Operational Guidelines

FROM: Vincent Lin – Recreation Supervisor
Mattie O'Grady – Director of Community Services

RECOMMENDATION: That Town Council review and approve the creation of an Age and Disability Friendly Steering Committee and the associated Operational Guidelines.

BACKGROUND

In 2023, MADI (Marin Aging and Disability Institute) received a California Department of Aging (CDA) grant to complete the process and develop a local Age & Disability Friendly Plan in partnership with the Town of San Anselmo. A new assessment process and survey were developed to include older adults, people with disabilities, and caregivers. Over 495 surveys were collected. The primary goal of the survey process was to learn about San Anselmo's "age and disability friendly" strengths as well as identify areas of improvement.

Between January and May 2025, the Age & Disability Friendly Action Plan was developed using data from the Assessment Report, input from the Age and Disability Friendly Advisory Committee, resident interviews, and feedback gathered during three community forums. This three-year action plan aligns identified community needs with specific goals and actionable strategies across seven key focus areas:

1. Remaining in Community
2. Health, Wellness and Caregiving
3. Transportation and Safe Mobility
4. Climate Change and Safety
5. Connected to and Included in Community
6. Having Voice in Community
7. Communication and Information

This report is one of several background documents contributing to the existing conditions analysis for the General Plan Update (GPU). Together with GPU-specific

community engagement, the existing conditions analysis provides the foundation for shaping the vision of the updated General Plan.

DISCUSSION/ANALYSIS

Staff recommends establishing a formal committee structure to support ongoing community involvement in Age and Disability Friendly initiatives. The committee would serve as the principal advisory body to the Parks and Recreation Commission on matters related to fostering a community where residents of all ages and abilities can thrive. It would rely on the Action Plan and General Plan as guiding documents, and would also play a key role in engaging local leaders, community partners, and residents in advancing these efforts.

On August 18, 2025, the Parks and Recreation Commission recommended that the Town Council approve the guidelines and establish an Age and Disability Friendly Steering Committee.

FISCAL IMPACT

Approval of this item will not result in an immediate fiscal impact to the Town; however, implementation of related actions may result in future costs.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The proposed project is exempt from the California Environmental Quality Act (CEQA), under the “common sense” exemption, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs. tit. 14, § 15061).

ATTACHMENTS

Attachment 1 – Age & Disability Friendly Steering Committee Guidelines

SAN ANSELMO
AGE & DISABILITY FRIENDLY COMMUNITY
STEERING COMMITTEE
OPERATIONAL GUIDELINES

Approved by the Parks and Recreation Commission on _____
Approved by the San Anselmo Town Council on _____

ARTICLE I: NAME

A. The name of this group shall be the San Anselmo Age & Disability Friendly Steering Committee (hereinafter referred to as "Committee").

ARTICLE II: HISTORY

A. The San Anselmo Recreation Department applied to the WHO/AARP Network of Age-Friendly States and Communities in 2019 to become Age Friendly, the town committed to a five-year process of assessment, action plan development and implementation.

ARTICLE III: PURPOSE

A. The purpose of the Committee is to provide ongoing input to the Town of San Anselmo regarding the ongoing development of building a community where all ages and abilities thrive and remain active engaging local leaders, community partners and residents.

ARTICLE IV: CHARGE

A. The Committee's main objectives are to:

1. Advise on Program Development and Implementation
   Serve as the lead advisory body to the Parks & Recreation Commission on the planning, implementation, and evaluation of initiatives that promote an age and disability friendly community in San Anselmo.

2. Guide Townwide Age & Disability-Friendly Strategies
   Provide expert input and community-based recommendations to Town staff and the Parks and Recreation Commission on policies, programs, and practices that promote inclusion, accessibility, equity, and quality of life for older adults and people with disabilities.

3. Facilitate Public Engagement and Input
   Conduct open, inclusive public meetings to encourage community feedback, identify needs and priorities, and present recommendations to the Community Services Director and Parks & Recreation Commission.

4. Undertake Additional Assignments
   Undertake additional tasks, initiatives, or responsibilities related to age and disability friendliness as requested by the Parks & Recreation Commission or Recreation Department.

ARTICLE V: MEMBERSHIPS

A. The Age & Disability Friendly San Anselmo Steering Committee shall consist of five (5) community representatives, with the option to appoint up to two (2) additional members as needed to support the Committee's mission and workload. Members shall meet the following criteria and must meet the following qualifications:

Eligibility
Members must:

- A majority of the committee must be residents of the Town of San Anselmo or demonstrate a strong connection to the community (e.g., employment, service, or volunteer work within Town limits).
- Demonstrate an interest in or lived experience with issues affecting older adults and/or individuals with disabilities.
- Commit to actively participating in Committee work, including regular meetings and community engagement activities.
- Disclose any potential conflicts of interest and adhere to the Town's conflict of interest policies.

Desired Qualifications
The Committee will seek to include members who collectively bring:

- Diverse perspectives representing different ages, abilities, and backgrounds.
- Professional expertise or volunteer experience in fields such as aging services, disability advocacy, accessibility, public health, urban planning, recreation, or social services.
- Community engagement skills including public outreach, facilitation, and collaboration.

Expectations of Service
Members are expected to:

- Attend and actively participate in all scheduled Committee meetings.
- Engage with community members to solicit feedback and share Committee initiatives.
- Work collaboratively with other Committee members, Town

staff, and partners.

B. The Committee will serve in an advisory capacity to the Parks & Recreation Commission.

C. Persons meeting the qualifications and interested in serving on the Committee shall complete the appropriate application form. An application-filing period will be announced publicly in order to solicit applications when vacancies exist on the Committee.

D. All five (5) seats shall be appointed by the Parks & Recreation Commission or its designee.

E. Members will serve a two-year term on the Committee. Upon establishment of this Committee, two (2) seats will serve for one year with the remaining three (3) seats serving the full two-year term. Incumbents wishing to reapply will be re-interviewed by the Parks & Recreation Commission and re-appointed by the Commission or its designee. Terms will commence on a date to be determined.

F. Members wishing to resign from the Committee must provide a written resignation addressed to the Town Clerk. Once the Town Clerk receives the resignation, the Town Clerk then follows the application process for filling the vacancy.

ARTICLE VI: COMMITTEE ORGANIZATION

A. Meetings will be held (Quarterly) four times a year on the 2nd Wednesday of the month at 3:00pm. Additional meetings may be scheduled as deemed necessary by Department staff.

B. Quorum: A majority of voting members in good standing shall constitute a quorum for the purpose of action on any issue or agenda item.

C. Members shall notify the Chair and staff in the event of an anticipated absence from a regularly scheduled meeting. Each member of the Committee who has knowledge of the fact that they will not be able to attend a regularly scheduled meeting of the Committee will notify the Chair and staff at the earliest possible opportunity and, in any event, prior to 5 p.m. on the date of the meeting. The Chair or staff shall notify the members of the Committee in the event that the projected absence will result in a lack of quorum. Two absences in any twelve-month period shall constitute a review of the committee member's continued appointment by the Parks & Recreation Commission. If the Parks & Recreation Commission recommends the resignation of a committee member due to absence, the resigned position will be announced publicly and filled under the appointment process. Former members may re-apply. The committee will maintain attendance records.

D. Adjournment: No new matter will commence after 5:00 p.m. and meetings will be adjourned by 5:00 p.m. unless the Committee votes to extend the meetings for 30-minute increments. A motion for adjournment shall always be in order and upon

a second shall be voted upon without debate.

E. Meetings shall follow the Brown Act Laws for Open Public Meetings, Government Code Section 54950.5, and public input during a public forum shall be established and supported. Standard rules of parliamentary procedure will govern meetings.

1. Agendas: A written agenda shall be developed by the Chair and the staff and shall be delivered to all Committee members at least 72 hours in advance of the Committee meeting.
2. Minutes: Written summary minutes shall be recorded by the Committee Secretary, typed and issued to all Committee members for their approval.
3. Written Correspondence/Verbal Communication: All written official correspondence and verbal communication on behalf of the Committee or any Committee member that is directed to any outside agency, organization or person shall have the consent of the Committee.
4. Rules of Order: Robert's Rules of Order will apply in all instances, which are not otherwise provided for in these rules.

F. Officers:

The Committee shall elect a Chair, a Vice Chair, and a Secretary from among its members following the annual appointment. Term of office is one year. Elections also shall be held to fill vacancies in these positions as they occur, or as soon thereafter as practical.

a. Chair: Shall preside at all meetings of the Steering Committee; decide on all points of order; appoint sub-committee membership; follow up on work of sub-committees; represent the Steering Committee to Parks & Recreation Commission; coordinate agenda preparation with staff; encourage active participation of members.
b. Vice-Chair: Shall preside at all meetings in the absence of the Chair.
c. Should the Chairperson and Vice Chairperson be absent or unable to act, the members present shall select a Chair Pro tem and have an order so stating entered into the record.
d. The Secretary: shall be responsible for recording, typing and distributing minutes from all Committee meetings.

G. Staff:

a. Staff shall provide organizational support to the steering committee in the form of maintaining files of Committee activities and shall act as liaison to the Parks & Recreation Commission.

ARTICLE VII: POWERS OF COMMITTEE:

A. Age and Disability Friendly Community Steering Committee members may recommend, and the Steering Committee may establish sub-committees as deemed necessary. Appointment of sub-committee members will be made by the Chair. Sub-committees will be appointed either for single task force assignments or as an

ongoing standing sub-committee. Sub-committees are for the sole purpose of researching, reviewing, or providing overall policy direction on age and disability-related items prior to being presented to the full Committee.

B. Steering Committee will submit recommendations to the Parks & Recreation Commission in writing, as approved by a majority of the Steering Committee.

C. Age and Disability Friendly Community Steering Committee shall establish annual goals, and action plans consistent with Town Council policies, direction, and the General Plan Update.

ARTICLE VIII: AMENDMENTS

A. Any proposed amendment to these guidelines must be approved by a majority vote of the Committee and ratified by the Parks & Recreation Commission.

STAFF REPORT

TOWN OF SAN ANSELMO Item #: 2.2

MEETING DATE: September 23, 2025

AGENDA TITLE: Consultant Contract for the Brookside Elementary School Sidewalk Gap Closure Project Phases 2 and 3

FROM: Scott Schneider, Asst. Public Works Director

RECOMMENDATION: That the Town Council authorize the Town Manager to execute a Professional Services Agreement with CSW/Stuber-Stroeh Engineering Group (CSW) for the design of the Brookside Elementary School Sidewalk Gap Closure Project, Phases 2 and 3 in an amount not to exceed $124,358.

BACKGROUND

Phase 1 of the Brookside Elementary School Gap Closure Project was constructed in 2021/2022 using a grant from the Transportation Authority of Marin (TAM). CSW located in Novato, CA was selected to design the project after a Request for Proposal process. After surveying and preliminary design, the initial engineer's cost estimate determined that the available funding would only cover about one third of the original scope.

In December 2024, staff submitted grant applications for Phases 2 and 3 of the project to complete the original scope (Phase 2) and further extend the sidewalk to Carlson Avenue (Phase 3). The maximum grant amount for each project was limited to $450,000, however, TAM funded both projects, and has agreed to have Phases 2 and 3 be completed as one project with funding of $900,000.

The Town requested that CSW provide a proposal to utilize the preliminary design product from the Phase 1 effort, and to re-scope the project to include Phase 3 project limits.

DISCUSSION/ANALYSIS

The proposal from CSW includes utilizing the preliminary design for the sidewalk along Butterfield Road from Sir Francis Drake Boulevard to Rosemont Avenue, and well as a new survey from Rosemont Avenue to Carlson Avenue to create construction drawings for the complete project.

The design work is expected to take six to eight months, and includes a public meeting as well as individual meetings with affected property owners. The completed design will be brought back to the Town Council for their approval in spring 2026 for summer 2026 construction.

FISCAL IMPACT

The professional services agreement will be drafted for a not-to-exceed cost of $124,358. Funding is available from the Grant Fund using $900,000 from the Transportation Authority of Marin, and is included in the 2025-2026 Town Budget.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

This project design is exempt from the California Environmental Quality Act (CEQA) under a Class 6 categorical exemption, because the scope of work consists of data gathering, analysis and preparation of plans and specifications for a project. No construction or alteration will be undertaken. (14 Cal. Code Regs. § 15306). When the plans and specifications are finalized and ready for bidding and construction, a CEQA analysis will be undertaken at that time.

The project design will propose sidewalk improvements that will address San Anselmo's Climate Action Plan 2030, specifically CAP Measure T-3 (walking).

ATTACHMENTS

Attachment 1- CSW Scope and Cost Proposal

504 Redwood Blvd Ste 310
Novato, CA 94947
www.cswst2.com

415.883.9850
Fax: 415.883.9835

Novato
Petaluma
Richmond
Pleasanton

Project Number: 2400035

September 15, 2025

Scott Schneider, Assistant Director of Public Works
Town of San Anselmo, Public Works Department
525 San Anselmo Ave.
San Anselmo, CA 94960
sschneider@townofsananselmo.org

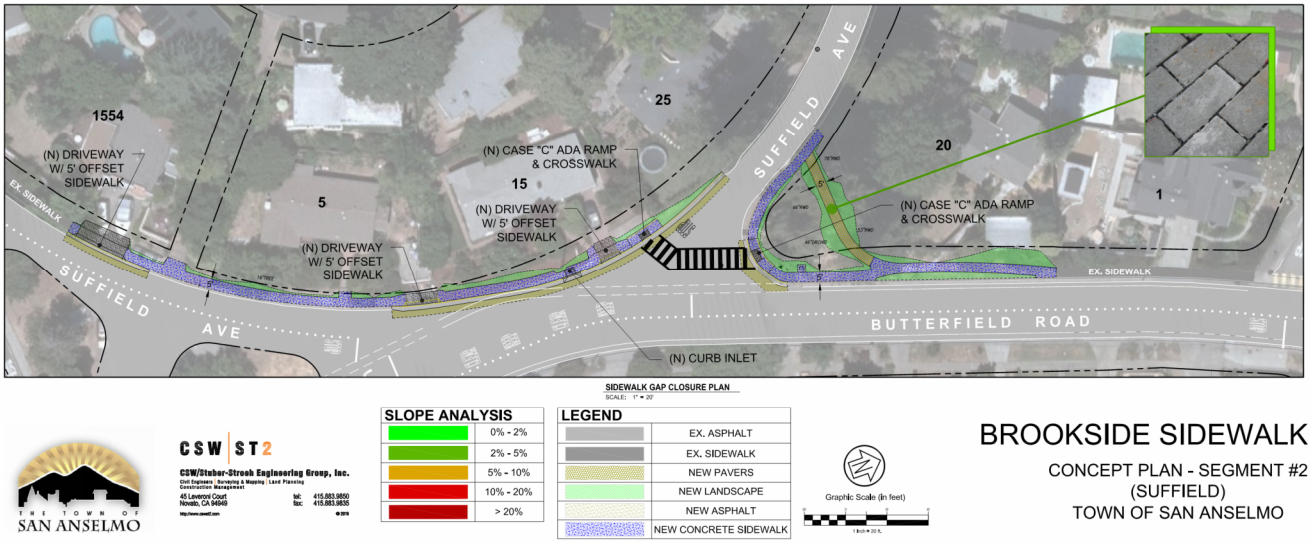
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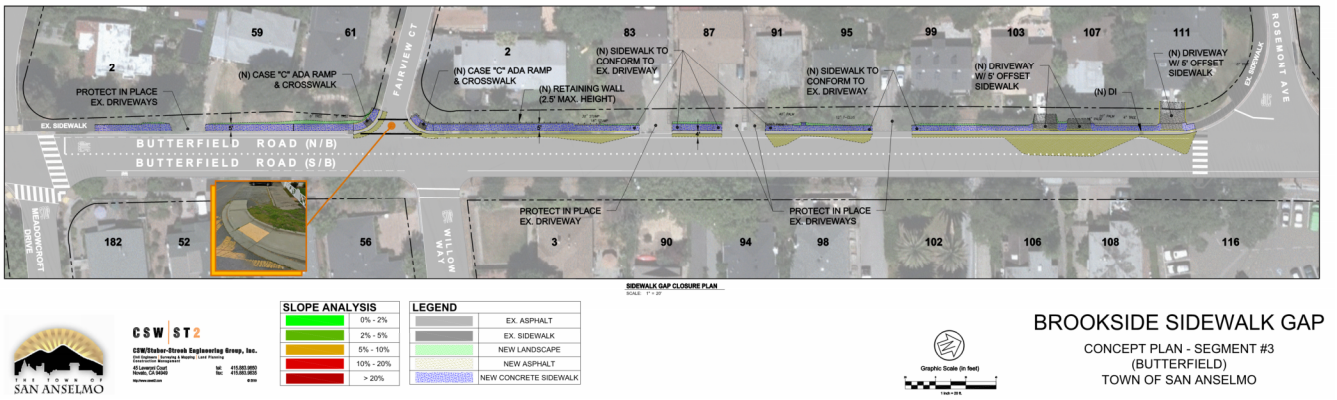
Subject: Brookside Sidewalk Gap Closure Project

Dear Mr. Schneider,

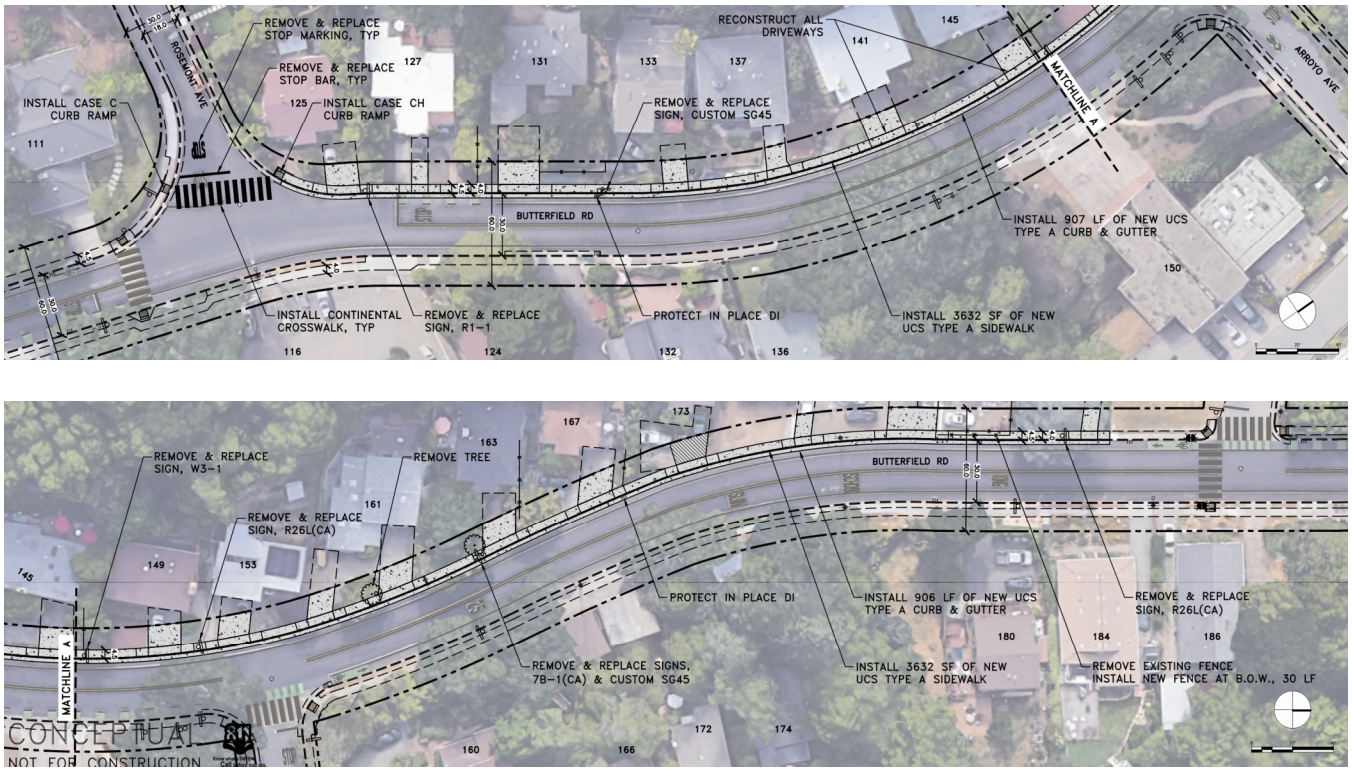
Thank you for the opportunity to support the Town in advancing the sidewalk gap closure project, specifically Phase 2: Butterfield Road (Sir Francis Drake Blvd to Rosemont Ave) and Phase 3: Butterfield Road (Rosemont Ave to Carlson Ave), which will enhance pedestrian access to Brookside Elementary School. As you are aware, CSWST2 previously completed field surveys and prepared conceptual-level plans for Phase 2 in November 2019. Under this scope, we will provide civil design services for Phase 2. For Phase 3, we will perform both the field survey and civil design services. The design documents will be prepared as a single project encompassing both Phases 2 and 3, and will be developed in compliance with the latest requirements of the Municipal Regional Stormwater Permit (MRP 3.0). In addition, we will support Town staff during the public outreach process, including the preparation of visual aids for community meetings. Upon receiving Town approval, we will prepare and deliver the complete bid documents.

Phase 2 – Butterfield Rd – Sir Francis Drake Blvd to Rosemont Ave





Phase 3 – Butterfield Rd –Rosemont Ave to Carlson Ave



The following outlines our proposed scope of work to support the design effort.

TASK 1: TOPOGRAPHIC SURVEY SERVICES

CSWST2 will survey approximately 1,000 LF of the westerly walkway and driveway approaches with the public right-of-way along Butterfield Road from Rosemont to Carlson Ave. Vertical and horizontal datum shall be assumed.

1.1 Field Survey. We anticipate up to 40 hours for field surveying. The topographic survey will include 5' from the face of curb to 15' ± behind the face of curb where access is reasonable. For driveway approaches, the survey will extend approximately 25' from face of curb. The Topographic survey and map will depict and

include gradebreaks, trees greater than 6" in diameter, curb and gutter, concrete and AC pathways and walks, retaining walls, fencing, and observable surface utilities at grade (boxes, valves, etc.).

1.2 Topographic Map. Using the field survey information, we will update the existing topographic base map. Contours intervals shall be 1 or 2 foot, as approved by the Town. Please note no boundary or easement information shall be provided. Any boundary resolution shall be performed as an additional service.

Deliverables
We will provide the topographic base map in AutoCAD dwg format, if requested

TASK 2: CONSTRUCTION DOCUMENTS (CD)

Using the conceptual design plans as the basis of design shown above, we will refine the plans, specification, and estimate to a 30% and 100% CD level for one (1) round of review and comments by staff.

2.1 Construction Documents. CSWST2 will prepare the following phased construction documents at the 30% and 100% level.

- **Construction Plans**. Cover Sheet, General Notes and Abbreviations, Typical Sidewalk Cross Sections, Demolition Plans, Layout Plan, Sidewalk Site Plan, Curb Ramp Plans, Signing & Striping Plans, Typical Detail Sheet, Erosion Control Plan, Stormwater Control Plan
- **Project Specification.** CSWST2 will prepare technical specifications for inclusion within the Town's general specification.
- **Cost Estimate.** CSWST2 will provide an updated line item cost estimate.

2.2 Public Outreach. We will assist Town staff for one (1) public outreach meeting. As necessary, we will prepare visual aids and documents for the meeting. We will provide meeting notes and coordinate with staff on refining the design plans.

2.3 Meetings and Coordination. We allocated time for up to two (2) site meetings with Town staff to review plan check comments. As directed by the staff, we will coordinate with the utility agencies for relocation and/or adjustment of their facilities.

Deliverables
We will provide the following documents in PDF.

- 30% and 100% plans, specifications, and estimate
- Response to plan check comments
- As applicable, visual aids and notes for public outreach

TASK 3: FINAL PLANS

Using comments from Town staff, we will provide the plans, specifications, and estimate for bidding.

3.1 Bid Documents. The team will refine the design documents based on staff comments into the follow bid documents.

- **Construction Plans**, **Project Specification, Cost Estimate.**

Deliverables
We will provide the following documents in PDF.

- Final/Bid Set plans, specifications, estimate, and bid schedule.
- Response to plan check comments

ADDITIONAL SERVICE ITEMS

Boundary Survey. If requested by Staff, CSW will follow boundary survey and file the appropriate documentation per 8762 of the Professional Land Surveyors Act. We will provide a separate fee proposal for staff review and approval prior to commencing work.

SCHEDULE

We anticipate completing the work in accordance with the following schedule.

Notice to Proceed	Fall 2025
Topographic Survey	Fall 2025
Complete 30% Construction Documents	Fall 2025
Public Outreach	Fall/Winter 2025
Complete 100% Construction Documents	Winter 2025
Complete Bid Documents	Winter 2025
Bidding	Winter 2025

COMPENSATION

CSWST2 agrees to provide the services described above on a time and expense basis as indicated in the attached fee schedule and in accordance with our current Hourly Rates and Billing Policy, copies of which are enclosed. Invoices for services rendered will be issued on a monthly basis. Payment terms are net 30 days.

ASSUMPTIONS

We have made several assumptions in our proposal that in some cases exclude services. At your request, we can provide these services for an additional fee. A summary of our assumptions includes:

1. This project is exempt under CEQA.
2. County staff will provide one (1) round of review and comments to the 30% and 100% CDs.

SERVICES AND STANDARD OF CARE

CSW|ST2's services shall be limited to those expressly set forth above. We shall have no other obligations or responsibilities for the project except as agreed to in writing, or as provided in this agreement. Our services shall be provided consistent with, and limited to, the standard of care applicable to such services. Thank you for the opportunity to present this proposal. Please call me at 415.999.6882 or email richs@cswst2.com if you have any questions regarding our proposal.

Sincerely,



Richard Souza, PE

Brookside Elementary Sidewalk Gap Closure Proposal

SUMMARY OF PRIME CONSULTANT LABOR EFFORT

CSW | ST2

		CSW|ST2 Project Manager and Engineer							
		Richard Souza **Project Manager**	Jed Diaz **Engineer 3**	Misc **Engineer 2**	Misc **Engineer 1**	Josh Woebling **Surveyor**	Two Person **Survey Crew**	**Total Hours**	**Total Base Fee**
	Billable Rate	247	200	180	148	247	350		
Task 1	**Topographic Survey**								
1.1	Topographic Survey						40	40	$14,000
1.2	Meetings and Coordination			16	24	2		42	$6,926
1.3	Reimbursable Expense								$200
	Task 1 Topographic Survey Subtotal:	**0**	**0**	**16**	**24**	**2**	**40**	**82**	**$21,126**
Task 2	**Construction Documents**								
2.1	Construction Documents								
	A. 30% PS&E	4	40	40	40			124	$22,108
	B. 100% PS&E	8	80	80	80			248	$44,216
2.2	Public Outreach	16	16					32	$7,152
2.3	Meetings and Coordination	8	16		8			32	$6,360
2.4	Reimbursable Expense								$200
	Task 2 Construction Documents Subtotal:	**36**	**152**	**120**	**128**			**436**	**$80,036**
Task 3	**Bid Documents**								
3.1	Bid Documents	8	40	40	40			128	$23,096
3.2	Reimbursable Expense								$100
	Task 3 Bid Documents Subtotal:	**8**	**40**	**40**	**40**			**128**	**$23,196**
	Total Base Labor Expenses:	**44**	**192**	**176**	**192**	**2**	**40**	**646**	
Total Design Fee									**$124,358**

CSWST2 BILLING RATE SCHEDULE

Effective January 1, 2025 – December 31, 2025

ENGINEERING SERVICES HOURLY RATES

Senior Engineer	$ 207.00
Engineer I, II, III	$ 148.00 - $ 180.00 - $ 200.00
Engineer Technician	$ 135.00
Engineer Assistant	$ 104.00

SURVEYING SERVICES HOURLY RATES

Senior Surveyor	$ 207.00
Surveyor I, II, III	$ 148.00 - $ 180.00 - $ 200.00
Survey Technician	$ 135.00
Survey Assistant	$ 104.00
Two-Person Survey Party	$ 350.00
Survey Party Chief	$ 227.00
Survey Chainman	$ 124.00
Survey Apprentice	$ 115.00
Aerial Drone Surveyor	$ 224.00

OTHER PROFESSIONAL SERVICES HOURLY RATES

Principal	$ 277.00
Associate Principal	$ 252.00
Senior Project Manager	$ 247.00
Project Manager	$ 233.00
Sr. Landscape Architect	$ 177.00
Landscape Architect	$ 161.00
Construction Manager	$ 242.00
Resident Engineer	$ 233.00
Field Engineer	$ 200.00
Technical Writer	$ 142.00
Graphic Illustrator	$ 135.00
Project Assistant	$ 104.00

- All expenses for transportation (mileage, bridge fare, etc.) will be charged at the Internal Revenue Service rate plus 10%.
- Filing fees, checking fees, prints, and other outside costs (such as agency submittal/permit fees etc.) will be charged at cost, plus service charges at the rate of 10%.
- Billing will be monthly net 30 days.

STAFF REPORT

TOWN OF SAN ANSELMO Item #: 2.3

MEETING DATE: September 23, 2025

AGENDA TITLE: General Plan Update: Draft Land Use Map

FROM: Heidi Scoble, Community Development Director
Lindsey Klein, Principal Planner
O'Rourke and Associates

RECOMMENDATION: Review and provide feedback on the Draft Land Use Map for the General Plan Update (GPU) project (see **Attachment 1**).

SUMMARY

On November 14, 2023, the Town Council initiated the General Plan Update (GPU). The project team (Town staff and consultants) prepared the Draft Land Use Map based on community priorities and policy direction collected through an extensive public engagement process from June 2024 through August 2025. The Draft Land Use Map would serve as a foundational tool to guide land use decisions and ensure orderly growth.

Staff recommend the Town Council review and provide feedback on the Draft Land Use Map (see **Attachment 1**).

BACKGROUND

Existing General Plan and Update Process

The General Plan is the Town's long-range policy document for growth, land use, sustainability, and resource and open space conservation. The Town's current General Plan was last comprehensively updated in 1975 and underwent substantial modifications in 1988.

The GPU process is divided into four major phases. Each phase involves background research and community engagement before culminating in a work product for public review. The GPU project is currently in the third phase, and one of the major work products is the Draft Land Use Map.

Draft Land Use Map

For most parts of San Anselmo, the current General Plan land use designations and Land Use Map are appropriate and not proposed to change. The Draft Law Use Map reflects

community priorities and policy direction received throughout an extensive public engagement process conducted as part of the GPU. Targeted land use changes to the Draft Land Use Map are proposed to ensure consistency with current development and zoning, remove spot-zoning issues, accommodate future housing needs, preserve open space, and recognize existing public uses. The key changes to the Draft Land Use Map include:

- *Residential Hillside Clean-Up:* Small parcels (under 1 acre) in hillside residential areas changed from low-density residential land use designations to Single Family Residential (SF) for consistency with current zoning, with a concurrent hillside development ordinance in development.
- *Open Space Designations:* Undeveloped Town-owned parcels redesignated as Open Space to reinforce environmental preservation commitments.
- *School Sites:* Public school properties corrected from residential land use designations to the Public Facilities (PF) designation to reflect actual use.

In addition, the description of the Central Commercial (CC) land use designation would be updated to align with the adopted 2023-2031 Housing Element, which states that the maximum density in the CC land use designation is 30 du/ac. The Draft Land Use Categories are provided in **Attachment 2**.

A complementary policy and map in the General Plan would identify Reserve Areas (shown on the map in **Attachment 3**). These Reserve Areas identified along major transportation corridors would potentially accommodate future housing needs and meet future Regional Housing Needs Allocation (RHNA) obligations in the next Housing Element cycle (i.e., 2031-2039).

Community Engagement

The Draft Land Use Map has been shaped by a review of existing plans, an in-depth survey of current on-the-ground land uses, and extensive community engagement gathered through the GPU process, beginning in 2024.

To date, the Town has attended 53 events and conducted five online surveys as part of this project. Outreach activities are summarized in **Attachment 3**. This broad engagement effort has helped shape the draft map to reflect community values, identify opportunities for growth and preservation, and ensure regulatory consistency across Town plans and policies.

Most recently, the project team presented the Draft Land Use Map to the GPAC and solicited the GPAC's feedback on July 10, 2025. On August 18, 2025, the Planning Commission reviewed the Draft Land Use Map, posed several questions, and ultimately concluded that it was acceptable as presented.

DISCUSSION

The purpose of this item is to gather Town Council feedback on the Draft Land Use Map. The feedback received from the Town Council would be incorporated into a final draft

map. The final draft map would guide future GPU discussions and inform the environmental analysis, scheduled to begin in the next project phase.

Following the Town Council meeting, the final draft map would be incorporated into the Public Review Draft General Plan, to be released following completion of the Draft Program EIR in 2026. Final adoption of the Land Use Map would occur concurrently with adoption of the full General Plan and certification of the EIR.

FISCAL IMPACT

On April 23, 2024, the Town Council authorized a Professional Services Agreement with O'Rourke and Associates to prepare the GPU and related environmental review pursuant to CEQA for a total not-to-exceed contract amount of $1,022,805. The scope of work for the GPU includes the preparation of a draft land use map.

The Town's 2024-2025 and 2025-2026 Adopted Budgets allocate $775,000 total from the General Fund to support the GPU. An additional $241,000 from the General Plan Maintenance Fee fund is reserved to fund the GPU. The remaining costs are anticipated to be budgeted in Fiscal Year 2026-2027.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

Receipt of a presentation about the GPU and the ensuing discussion about the Draft Land Use Map for the GPU is not a "project" under CEQA, because it does not involve an activity which has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065). The Land Use Map will be evaluated in the Program Environmental Impact Report prepared for the General Plan Update prior to final adoption.

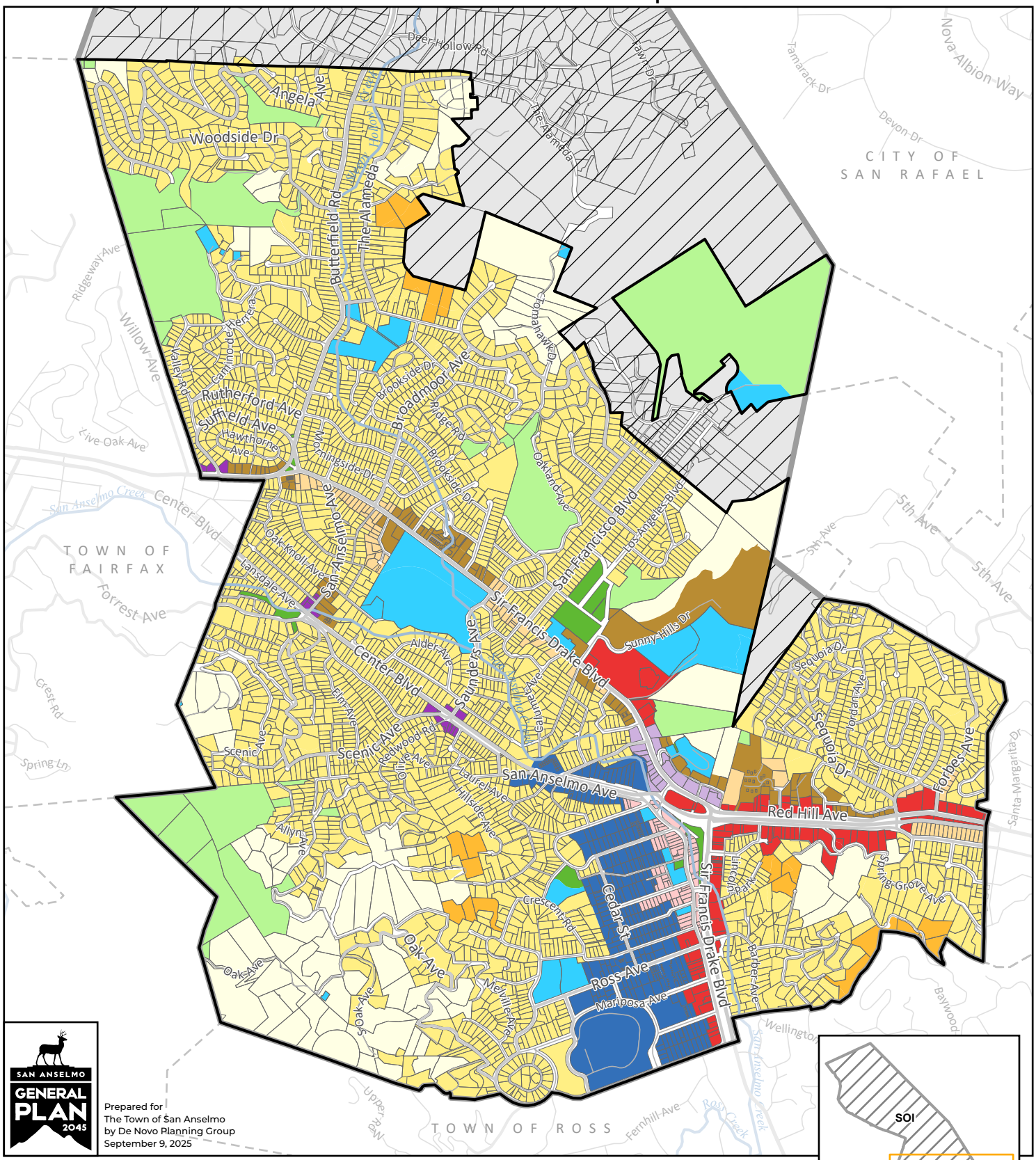
The current Climate Action Plan (CAP) for the Town of San Anselmo does not specifically address the GPU. The Draft Land Use Map provides an opportunity to align future policies with the Town's climate goals.

ATTACHMENTS

Attachment 1 - Draft Land Use Map
Attachment 2 - Draft Land Use Categories
Attachment 3 - Draft Reserve Areas Policy
Attachment 4 - Community Engagement Summary

Draft Land Use Map

Attachment 1



SAN ANSELMO GENERAL PLAN 2045

Prepared for
The Town of San Anselmo
by De Novo Planning Group
September 9, 2025

Legend

- Town Boundary
- Planning Area Boundary
- Sphere of Influence (SOI)
- Very Low Density Residential
- Single Family Residential
- Single Family-Conservation
- Medium Density Residential
- High Density Residential
- Downtown Mixed Residential
- Central Commercial
- General Commercial
- Limited Commercial
- Neighborhood Commercial
- Professional
- Open Space
- Park
- Public Facility
- SOI (undesignated)

0 500 1,000 Feet

Sources: Town of San Anselmo (Proposed GP v4); Marin County GIS; Marin County LAFCo; USGS NHD.

X-X.

PROPOSED GENERAL PLAN LAND USE DESIGNATIONS

Draft Land Use Categories

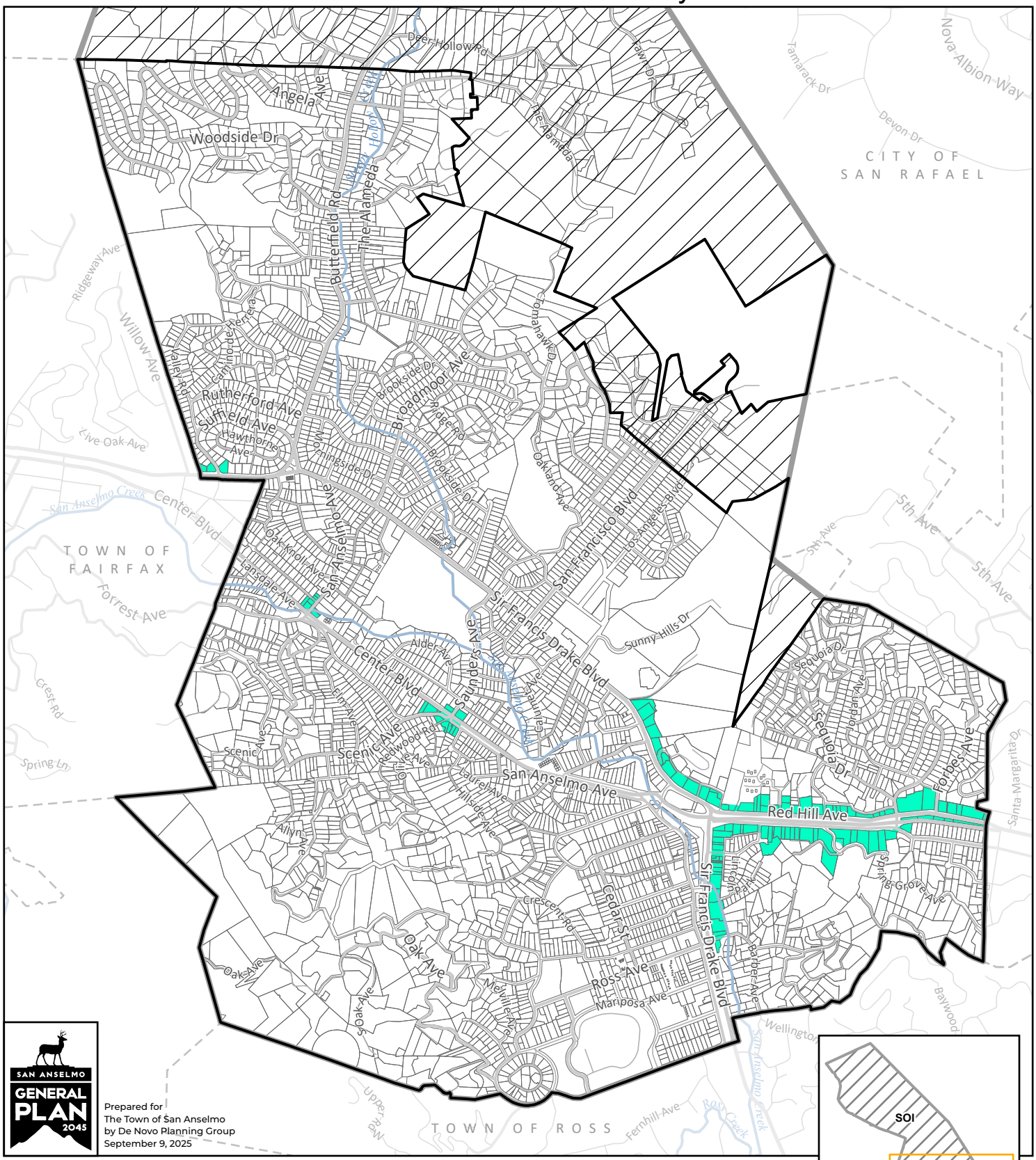
LU Category	Associated Zoning	Density/FAR*	Proposed Description
Very Low Density Residential	Very Low Density Residential (R-1-H)	1 du/acre	The Very Low-Density Residential land use designation is applied to those hillside lands, located at or above the 150-foot mean sea level elevation, suitable for low density, detached single-family homes, accessory residential uses, residential care, day care, and utility facilities on larger lots which will maintain the natural features of the land and associated landscape and have minimal visual impacts on the community. Other residential uses are also allowed, as consistent with State law.
Single-Family Residential-Conservation	Single-Family Residential-Conservation (R-1-C)	1 du/acre	The Single-Family Residential-Conservation land use designation is applied to hillside areas, located at or above the 150-foot mean sea level elevation, appropriate for development of single-family homes, accessory residential uses, residential care, day care, and utility facilities on larger lots which will have minimal visual impacts on the community. Other residential uses are also allowed, as consistent with State law.
Single-Family Residential	Single-Family Residential (R-1)	1-6 units/acre	The Single-Family Residential land use designation is applied to areas suitable for detached single-family homes and accessory residential uses on smaller lots. Duplex, triplex, and multi-family homes may also be compatible. Additionally, education, day care, residential care, religious, institutional, and utility facilities may be allowed.
Medium Density Residential	Medium Density Residential (R-2)	6-12 units/acre	The Medium Density Residential land use designation is applied to areas appropriate for a mix of housing types including single-family, duplex, triplex, and multi-family homes and accessory residential uses at moderate densities. Additionally, education, day care, residential care, religious, institutional, and utility facilities may be allowed.
High Density Residential	High Density Residential (R-3)	13-30 units/acre**	The High Density Residential land use designation is applied to areas appropriate for single-family, duplex, triplex, and multi-family homes and accessory residential uses at higher densities. Additionally, education, day care, residential care, religious, lodging, institutional, and utility facilities may be allowed.
Downtown Mixed Residential	Single-Family Residential (R-1), Medium Density Residential (R-2), High Density Residential (R-3), Downtown Commercial (C-2), Commercial (C-3)	6-30 units/acre; 2.0 FAR**	The Downtown Mixed Residential land use designation is applied to areas suitable for a mixture of single-family, duplex, triplex, and multi-family housing and accessory residential uses. Additionally, commercial, education, day care, residential care, religious, lodging, institutional, and utility facilities may be allowed.
Central Commercial	Downtown Commercial (C-2)	13-30 units/acre; 2.0 FAR	The Central Commercial land use designation is applied to the downtown area providing for a wide range of resident- and visitor-serving commercial and institutional uses that create a vibrant downtown environment. Mixed commercial and residential uses are allowed.
General Commercial	Commercial (C-3)	13-30 units/acre**; 2.0 FAR	The General Commercial land use designation is applied to areas appropriate for a broad range of retail, restaurant, entertainment, lodging, office, medical, service, automotive, institutional, and utility facilities. Mixed commercial and residential uses are allowed.
Limited Commercial	Limited Commercial (C-L)	13-30 units/acre; 2.0 FAR	The Limited Commercial land use designation is applied to areas appropriate for a broad range of commercial uses that have lower traffic

LU Category	Associated Zoning	Density/FAR*	Proposed Description
			generation including limited retail, restaurant, office, medical, service, automotive, religious, institutional, and utility facilities. Mixed commercial and residential uses are allowed.
Neighborhood Commercial	Neighborhood Commercial (C-1)	13-20 units/acre; 1.0 FAR; 1.25 for mixed use projects with 8-10 units)	The Neighborhood Commercial land use designation is applied to neighborhood-serving commercial uses within residential areas appropriate for a mix of retail, restaurant, office, medical, personal service, recreation, religious, lodging, institutional, and utility facilities. Mixed commercial and residential uses are allowed.
Parks	Public Facilities (PF)	(No FAR provided for in the Zoning Code)	The Parks land use designation is applied to areas suitable for parks, playgrounds, and other recreational uses.
Open Space	Open Space (OS)	(No FAR provided for in the Zoning Code)	The Open Space land use designation is applied to publicly-owned and privately-owned land devoted to the preservation of natural and scenic resources and for limited passive recreation on designated trails.
Public Facilities	Public Facilities (PF)	40 units/acre proposed (see Action LU-B.4.a) (No FAR provided for in the Zoning Code)	The Public Facilities land use designation is applied to public land uses including public educational facilities and governmental buildings and facilities. Residential uses may also be permitted.

* Residential densities are in units per gross acre. The term 'gross acre' as used in the General Plan refers to all the land within the property lines of a given parcel or all the land within the boundary line of a given development proposed. The only land to be excluded in the calculation of gross acreage is any land within an established public right-of-way or adopted plan line.

** Residential densities up to 40 units per acre may be allowed for properties subject to the Affordable Housing Overlay District in the Zoning Map.

Draft Reserve Area Policy



SAN ANSELMO GENERAL PLAN 2045

Prepared for
The Town of San Anselmo
by De Novo Planning Group
September 9, 2025

Legend

- Town Boundary
- Planning Area Boundary
- Sphere of Influence (SOI)
- Reserve Areas

0 500 1,000 Feet

Sources: Town of San Anselmo (Proposed GP v4); Marin County GIS; Marin County LAFCo; USGS NHD.

X-X.
RESERVE AREAS

Community Engagement Summary

The following provides a summary of the community engagement efforts conducted as part of the General Plan Update project from June 2024 through August 2025. The input generated from these events informed existing conditions analysis and established the community's vision for the future. The draft land use map and policy framework are directly informed by the feedback received at these events.

- **General Plan Advisory Committee (GPAC) Meetings:** Met nine times from August 2024 through July 2025 to discuss various topics including visioning, climate change, hillside land uses, circulation, and more. The GPAC is scheduled to meet five more times during the General Plan Update process. Meeting minutes can be found online here.
- **Planning Commission Meetings:** Attended two meetings in Spring and Summer 2025 to discuss draft land use and community design concepts and present the Draft Land Use Map.
- **Stakeholder Meetings**: Held with families, churches, private schools, and special districts (including school districts) in June 2024. Meeting summaries are available online.
- **Economic Development Stakeholder Meetings**: Conducted 10 one-on-one interviews with economic development stakeholders in the community. Stakeholders included local business owners, commercial property owners, Chamber of Commerce representatives, and more. The 2024 Economic Development Analysis summarizes these meetings.
- **Pop-Up Events**: Hosted pop-up tables to collect feedback on key town issues at local community events, including:
    - Live on the Avenue events (Summer and Fall 2024)
    - Imagination Park (December 11, 2024)
    - Softball Opening Day (March 8, 2025)
    - Earth Day Fair (April 19, 2025)

  These events focused on long-range planning topics such as open space, recreation, economic development, and climate resilience.
- **Board, Committee, and Commission Meetings**: Attended over 16 meetings from June 2024 to July 2025 with various boards, committees, and commissions to collect targeted input on climate change, equity, transportation, open space, and economic development.
- **Workshops**: Hosted three public workshops from October 2024 to February 2025, focusing on climate change, economic development, and circulation and noise. Workshop summaries are posted online here.
- **Open House:** Held an open house on April 2, 2025 to discuss and solicit input on community programming, parks, and open spaces. A summary of the open house is posted online here.
- **Online Surveys**: Conducted four online surveys, summarized online, on the topics of:
    - Long-term community vision (Summer 2024)
    - Climate change (Fall 2024)
    - Economic development (Winter 2024-2025)
    - Circulation and noise (Winter 2025)
    - Community Programming, Parks, Open Space, and Conservation (Spring 2025)

STAFF REPORT

TOWN OF SAN ANSELMO Item #:3.1

MEETING DATE: September 23, 2025

AGENDA TITLE: Public Hearing to Adopt an Ordinance Amending Title 10 (Planning and Zoning) to Update Conditional Use Permit Regulations and Replace Nonconforming Uses and Improvements Regulations with New Article on Nonconforming Uses, Structures, and Lots; CEQA Exemption Findings. The proposed Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15061(b)(3), Section 15301, and Section 15303.

FROM: Heidi Scoble, Community Development Director

RECOMMENDATION:

1. That the Town Council hold a public hearing and consider the attached Zoning Ordinance Amendments to Title 10 (Planning and Zoning), Chapter 3 (Zoning), to update Conditional Use Permit regulations and replace the Nonconforming Uses and Improvement regulations with a stand-alone new article titled, “Nonconforming Uses, Structures, and Lots”, and ensure compliance with State law and make the associated CEQA exemption findings (see **Attachment 1**).
2. Motion to read the attached Ordinance by title only. The Town Manager will read the full title of the Ordinance.
3. Motion to approve the first reading of the Ordinance Amendments and waive future readings in their entirety.

BACKGROUND

The Town has regulated nonconforming uses, nonconforming improvements, and conditional uses of land since the adoption of Ordinance No. 485 on December 11, 1962. These regulations have served as the framework for how the Town addresses land uses and buildings that were legal when established but no longer conform to subsequent zoning standards.

The following is a summary of the Town’s current regulations:

Nonconforming Uses and Improvements (Current Code-Title 10, Chapter 3, Article 6, Section 10-3.607)

- Nonconforming uses may continue if lawfully established before zoning changes, but they may not be expanded or intensified.
- If a nonconforming use is abandoned for six months or more, the right to continue that use is lost.
- Nonconforming structures can be maintained and repaired but must be brought into compliance with current regulations if 50% or more of their exterior walls are removed or if the structure is substantially destroyed.

Conditional Use Permits (Current Code-Title 10, Chapter 3, Article 13)

- CUPs are required for specific land uses identified in the Zoning Ordinance and are intended to ensure compatibility with surrounding uses.
- CUPs currently "run with the land" in perpetuity under California law unless explicitly conditioned with expiration or review dates.
- The Planning Director may approve minor CUPs, while the Planning Commission reviews most applications. Findings for approval must demonstrate that the use will not negatively affect public health, safety, or welfare.

In 2023, the Town Council adopted Ordinance No. 1179, updating zoning regulations in the C-2 (General Commercial) District to align with the Housing Element and Economic Development Committee (EDC) recommendations. Following implementation, the EDC requested additional refinements, specifically regarding nonconforming uses and conditional use permit (CUP) findings related to office uses in the C-2 District.

On April 9 (refer to agenda item no. 2.A) and June 10, 2025 (refer to agenda item no. 4.A), the Economic Development Committee (EDC) reviewed the proposed zoning ordinance amendments at publicly noticed meetings, providing feedback to strengthen the vitality of the Town's commercial areas, particularly the C-2 (General Commercial) District. The Committee emphasized the importance of reducing vacancies, simplifying CUP requirements, and ensuring amendments advance the Town's economic development goals while preserving flexibility. Public input also highlighted support for coworking spaces balanced with maintaining the unique character of downtown as a retail, dining, and destination-based hub.

On August 18, 2025, the Planning Commission held a public hearing to consider amendments addressing these topics. Following deliberation, the Commission adopted Resolution No. 2025-17, recommending Town Council approval of the proposed ordinance (see **Attachment 2 and Attachment 3**).

DISCUSSION/ANALYSIS

The proposed amendments are intended to clarify and modernize zoning regulations while furthering the Town's long-term goals of fostering a vibrant, economically resilient, and pedestrian-oriented downtown. Input from the Economic Development Committee, community stakeholders, and the Planning Commission emphasized the importance of discouraging prolonged vacancies, providing flexibility for property owners, and

ensuring that nonconforming uses and CUP processes are consistent with the Town's economic development objectives. The Planning Commission reviewed the amendments at a public hearing and expressed support for forwarding them to the Town Council for consideration.

The following is a summary of the proposed amendments:

Nonconforming Uses and Structures (Amended Title 10, Chapter 3, Article 29)

- **Standalone Article:** Establishes a new article dedicated to nonconforming uses and structures, providing clarity, emphasis, and improved organization.
- **Abandonment Period:** Reduces the period from six months to 90 days to encourage timely reuse of commercial spaces.
- **Rebuild Threshold:** Increases the threshold triggering conformity requirements from 50% to 75% of exterior wall removal, supporting reinvestment while maintaining a path toward eventual compliance.
- **Termination Procedures:** Clarifies decision-making authority and establishes due process for terminating nonconforming uses.
- **Purpose and Intent:** Updates language to articulate objectives and provide stronger guidance for interpretation and application.

Conditional Use Permits (New- Title 10, Chapter 3, Article 13)

- **Updated Findings:** Streamlines and modernizes CUP findings to align with the General Plan, zoning district purposes, and specific requirements for ground-floor office uses in the C-2 District.
- **Expiration Authority:** Grants the Community Development Director or Planning Commission discretion to set CUP expiration dates, with applicants able to reapply after expiration. This tool ensures CUPs remain consistent with the Town's long-term land use and economic goals.

Collectively, these amendments strengthen the Town's ability to address underutilized or outdated land uses, support reinvestment in existing structures, and balance flexibility for property owners with the broader community interest in a thriving downtown core.

FISCAL IMPACT

No direct fiscal impacts are anticipated from the adoption of these ordinance amendments.

GENERAL PLAN CONSISTENCY

The proposed zoning ordinance amendments are consistent with the goals, policies, and implementation programs of the San Anselmo General Plan, including those related to land use, economic vitality, community character, and sustainability.

Specifically, the amendments support the following General Plan objectives:

- **Land Use Element Goal LU-1:** Maintain and enhance San Anselmo's small-town character and distinct commercial districts. The proposed updates reinforce the purpose of the C-2 Zoning District by promoting a balanced mix of uses that support a walkable, vibrant downtown.
- **Land Use Element Policy LU-3.2:** Encourage a mix of retail, service, office, and residential uses in commercial areas that contribute to the economic vitality and character of the Town. By clarifying regulations for office uses and conditional use permits (CUPs), the amendments help ensure that future uses are compatible with community goals and contribute to a lively, economically sustainable downtown core.
- **Economic Development Element Goal ED-1:** Support a thriving and diverse business community. The amendments reflect input from the EDC and are intended to preserve flexibility while reducing long-term commercial vacancies and encouraging business occupancy in the downtown area.
- **Implementation Program LU-4.A:** Periodically review and update the Zoning Ordinance to ensure consistency with the General Plan. This effort directly implements this program by updating zoning regulations to reflect current economic and land use priorities while maintaining alignment with the General Plan framework.

The proposed ordinance amendments further the Town's commitment to thoughtful planning and economic resilience and are consistent with the overarching vision and policies of the San Anselmo General Plan.

CEQA AND CLIMATE ACTION PLAN CONSISTENCY

California Environmental Quality Act (CEQA)

The proposed zoning ordinance amendments are exempt from environmental review under CEQA pursuant to the following exemptions:

- **CEQA Guidelines Section 15061(b)(3). *Common Sense Exemption*:** It can be seen with certainty that the ordinance amendments will not have a significant effect on the environment, as they do not authorize physical development or changes in land use that would result in environmental impacts.

- **CEQA Guidelines Section 15301. *Existing Facilities*:** The amendments involve minor alterations to the regulation of existing commercial uses, with negligible or no expansion of use beyond that already in existence.

- **CEQA Guidelines Section 15303.** *New Construction or Conversion of Small Structures*: The ordinance amendments allow for limited flexibility in commercial uses and are not expected to increase development intensity or change the rate at which development occurs. Therefore, it can be seen with certainty that the amendments will not result in significant environmental effects.

Climate Action Plan Conformance
The proposed amendments are consistent with the Town of San Anselmo's adopted Climate Action Plan. The updates support infill development and reuse of existing commercial spaces, reduce long-term vacancies, and promote a walkable, mixed-use downtown. These actions align with the Town's climate goals by minimizing vehicle trips, supporting local economic resilience, and encouraging efficient land use patterns.

ATTACHMENTS

Attachment 1 – Draft Ordinance
Attachment 2 – Draft Ordinance- Redline
Attachment 3 – Planning Commission Resolution No. 2025-17
Attachment 4 – August 18, 2025, Planning Commission Staff Report with Attachments

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING TITLE 10 "PLANNING AND ZONING", CHAPTER 3 "ZONING', ARTICLE 13 "CONDITIONAL USE PERMIT"; REMOVING TITLE 10, CHAPTER 3, ARTICLE 6, SECTION 10-3.607 "NONCONFORMING USES AND IMPROVEMENTS" AND REPLACING WITH NEW ARTICLE 29 "NONCONFORMING USES, STRUCTURES, AND LOTS"; AND MAKING ASSOCIATED CEQA EXEMPTION FINDINGS

WHEREAS, a conditional use permit (CUP) allows a use of property that is not in strict in compliance with the zoning code with the imposition of certain conditions, which remains in effect so long as the conditions in the permit are satisfied, there is no expiration date in the permit that has expired, and the use is not a public nuisance; and

WHEREAS, the Town desires to ensure compliance with CUPs and provide processes to review CUP compliance in order to promote the stability and consistency of land uses within the Town; and

WHEREAS, the Town desires to update the CUP Ordinance to: allow the inclusion of a CUP expiration date; provide a revocation hearing process for CUPs that are out of compliance with the conditions in the permit either by violation or by a period of nonuse; and make other clarification and update changes ("CUP Ordinance Amendments"); and

WHEREAS, a legal nonconforming use, structure, or lot (or a "grandfathered" use, structure, or lot) is one that was lawful on the effective date of a new zoning restriction which made it unlawful, and has continued since that time; and

WHEREAS, to ensure the cohesive and predictable development of the Town that is consistent with Town goals, it is desirable that nonconforming uses, structures, and lots be replaced by conforming uses, structures, and lots over time; and

WHEREAS, the Town's nonconforming use ordinance, Municipal Code section 10-3.607, is outdated and the Town desires to adopt an updated nonconforming use code to provide more predictability, clarity, and the ability for the Town Council to consider revocation of a nonconforming use; and

WHEREAS, the Town desires to update the Town's nonconforming use ordinance, Municipal Code section 10-3.607 ("Nonconforming Use Ordinance Amendments", collectively with the "CUP Ordinance Amendments" referred to as the "Ordinance Amendments"); and

WHEREAS, pursuant to Article XI, Section 7 of the California Constitution, the Town may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, the Ordinance Amendments are in the public interest because they will help ensure that land uses remain consistent with their surroundings and provide processes for the Town to revoke noncompliant and nonconforming uses; and

WHEREAS, the Ordinance Amendments are exempt from review under the California

Environmental Quality Act (CEQA) pursuant to the "common sense" exemption, CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance Amendments will have a significant effect on the environment; pursuant to CEQA Guideline section 15301 involving the minor alteration of existing residences involving negligible or no expansion of use beyond that already in existence; and Section 15303 New Construction or Conversion of Small Structures, because it can be seen with certainty that there is no possibility the Amendments would not have a significant effect on the environment and they make no or minimal changes to land uses, development intensities, or the rate at which development is expected to occur; and

WHEREAS, the ordinance amendments are consistent with the goals and policies of the San Anselmo General Plan, including maintaining the viability of the Town's commercial core and preserving its small-town character; and by encouraging the monitoring and review of conditional use permits and nonconforming uses, the amendments promote the appropriate use of property, discourage long-term vacancy or disuse, and support the overall health and vitality of the Town's commercial areas; and

WHEREAS, the Ordinance Amendments do not impact the Town's Climate Action Plan; and

WHEREAS, the Planning Commission is responsible for providing recommendations to the Town Council for proposed amendments to the Town's Zoning Code pursuant to Government Code section 65853 et seq.; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 18, 2025 to consider the Ordinance Amendments and recommended Town Council adoption of the Amendments; and

WHEREAS, the Town Clerk caused notice of a Town Council public hearing regarding the Town Council's adoption of the Ordinance Amendments in the Marin Independent Journal newspaper on as required by Government Code section 36933 and published the text of the Ordinance Amendments as required by State law; and

WHEREAS, on [DATE] the Town Council held a duly noticed public hearing to consider introduction of the Ordinance Amendments.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and incorporated as findings herein.

SECTION 2. Environmental Review. The Ordinance Amendments are exempt from review under the California Environmental Quality Act (CEQA) pursuant to the "common sense" exemption, CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance Amendments will have a significant effect on the environment; pursuant to CEQA Guideline section 15301 involving the minor alteration of existing residences involving negligible or no expansion of use beyond that already in existence;

and Section 15303 New Construction or Conversion of Small Structures, because it can be seen with certainty that there is no possibility the Amendments would not have a significant effect on the environment and they make no or minimal changes to land uses, development intensities, or the rate at which development is expected to occur.

SECTION 3. General Plan Consistency Finding. The ordinance amendments are consistent with the goals and policies of the San Anselmo General Plan, including maintaining the viability of the Town's commercial core and preserving its small-town character; and by encouraging the monitoring and review of conditional use permits and nonconforming uses, the amendments promote the appropriate use of property, discourage long-term vacancy or disuse, and support the overall health and vitality of the Town's commercial areas;

SECTION 4: Ordinance Amendment 1. The following are changes and amendments to the Town of San Anselmo Municipal Code Title 10 "Planning and Zoning", Chapter 3 "Zoning", Article 13 "Conditional Use Permit". New language in underline, deleted language in ~~strikeout~~. Amendments shall be renumbered as appropriate.

Article 3. – Conditional Use Permit

10-3.1301 – Purpose and intent.

The purpose of this Article is to allow for uses within a zoning district that may be made compatible with the primary uses of the district with the imposition of conditions if the findings are satisfied.

10-3.1302 – Initiation of a conditional use permit.

A conditional use permit may be initiated by any of the following:

(a) The owner or owners of record of a lot or lots for which a conditional use permit is sought; or

(b) The Town Council, when such conditional use permit is required for activities taken on behalf of the Town. The initiation of a conditional use permit by the Town Council may be either upon the Council's initiation, or by recommendation of the Community Development Director or the Planning Commission.

10-3.1303 – Application requirements.

An application for a conditional use permit shall be submitted with content specified by the Community Development Director together with such other information as may be required by the hearing body and/or Community Development Director or designee, and the required fees shall be paid. The schedule of fees shall be determined by resolution of the Town Council.

10-3.1304 – Review of conditional use permit.

A conditional use permit may be acted upon either by: (1) the Community Development Director or designee; or (2) the Planning Commission after it conducts one (1) or more public hearings on the conditional use permit. In approving a conditional use permit, the Community Development Director and/or Planning Commission may impose any condition that is reasonably necessary to achieve the objectives of this Title; however, no condition may require the dedication of land for any purpose not reasonably related to the use of the property for which the permit is being requested, nor the posting of a bond to guarantee installation of public improvements not reasonably related to the use of the property for which the permit is requested.

The following identifies which conditional use permit applications may be acted upon by the Community Development Director and which use permit applications shall be acted upon by the Planning Commission:

(a) Community Development Director.

(1) Accessory use, when such a use is very low in scale, will not cause a significant increase in intensity of use of the property, and will not alter the primary use of the facility.

(2) Outdoor storage and display of merchandise, plants, and street furniture based upon one (1) of the following:

(a) Within the "C" Districts, the outdoor display and sale of merchandise for a limited time period; and

(b) Within all Districts, the outdoor placement of plants and street furniture on public or private property in limited quantity which, in the opinion of the Planning District will not hinder the free use of the public sidewalk. Such plants and street furniture shall not bear signs, price tags, or other indications that the plants or street furniture is for sale or rent.

(3) Temporary uses.

(a) Temporary uses. Any use may be authorized on a temporary basis in any commercial zoning district for up to and no more than one (1) year provided the use conforms with the Town's Building and Fire Codes. The Community Development Director may allow a single extension of the original time limits and not to exceed the length of the time originally allowed.

The Community Development Director may refer any of the above to the Planning Commission if, in the opinion of the Community Development Director review by the commission is desirable.

(b) Planning Commission.

All other conditional use permit applications not identified in subsection (a) of this section. Should a property require more than one (1) planning application and should any of those applications require Planning Commission review, then all planning applications associated with the property shall require Planning Commission review.

10-3.1305 – Required findings for conditional use permit.

The Community Development Director or Planning Commission, as applicable, may grant an application for a conditional permit if all of the following findings can be made:

(a) The proposed location of the conditional use is consistent with the objectives of this Title and the purpose of the zoning district;

(b) The proposed location of the conditional use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare; and

(c) The proposed conditional use will comply with the general plan and each applicable provision of this Title.

In addition to the foregoing finding, special findings shall be made for certain districts or uses, as follows:

(d) Gasoline Stations—All Districts:

(1) Full Serve and Self-Service Gasoline Stations—ALL DISTRICTS: All operations including storage, excepting service with gasoline, oil, air, and water shall be conducted within a closed building.

(2) Self-Service Gasoline Stations—ALL DISTRICTS: The granting of the conditional use permit will not adversely affect the public health, safety, or welfare by either diminishing the availability of minor emergency health and safety services, including rest rooms and minor automobile repair.

(e) Limited Commercial (C-L) District—All Uses Requiring a Conditional Use Permit: The granting of the conditional use permit will not allow a use which generates traffic at a rate greater than:

(1) Fifty (50) vehicle trip ends for each one thousand (1,000) gross square

feet of gross leasable building area; 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.

(f) Ground Floor Office Uses—Downtown Commercial (C-2) District:

(1) The proposed office use supports the Town's economic development goals by contributing to a vibrant Downtown Commercial District.

(g) The granting or denying of a conditional use permit for the on-sale and off-sale of beer and wine in conjunction with the sale of motor fuel shall be subject to the following:

(1) The findings shall be based on substantial evidence in view of the whole record to justify the ultimate decision; and

(2) In addition to the standards listed in the state Business and Professions Code Licensing Restrictions, the Town has the authority to further condition the conditional use permit.

(h) The granting of a conditional use permit will not allow a use that diminishes the existing affordable housing stock, including multifamily units and mixed-use units (e.g., residential units above commercial uses).

(i) Animal Boarding: All exterior walls shall be soundproofed to eliminate potential animal noise to the exterior of the building.

(j) Light Manufacturing: The use shall not cause odors, noise, and other factors which make the environment less desirable.

(k) All Commercial Uses: The size and operating characteristics of the proposed development would provide a balanced mix of uses that would be compatible with the existing and future land uses in the vicinity.

(l) Planned Development — All Districts: Refer to the findings in Article 9 of this chapter of the San Anselmo Municipal Code.

10-3.1306 – Revocation of conditional use permit.

(a) A conditional use permit may be revoked or modified for noncompliance with any of the conditions specified in the permit or violation of law. The Planning Commission shall hold a public hearing to consider the proposed revocation, which

hearing shall be noticed in accordance with California Government Code section 65091. The Planning Commission's decision may be appealed to the Town Council pursuant to Town Municipal Code section 1-4.01 et seq. Failure to appear at a hearing pursuant to this Section shall constitute a waiver of a the right to object to the revocation of a conditional use permit under this Section.

(b) For the purposes of this Section, noncompliance with the conditional use permit shall include the violation of any condition in the conditional use permit and/or any abandonment of the approved use, which includes, without limitation, the replacement of the conditional use with another use and the absence of the use on the site that is the previously approved conditional use.

(c) The Town's right to revocation as provided in this Section shall be cumulative to any other remedy allowed by law.

10-3.1307 – Lapse.

A conditional use permit approval shall lapse and become null and void one (1) year following the date on which the permit becomes effective unless: prior to the expiration of the one (1) year a building permit is issued and is active on the site that was the subject of the permit application; a certificate of occupancy is issued for the site or structure that was the subject of the conditional use permit application; or if an alternative period is specified in the conditional use permit. Where a conditional use permit authorizes construction of a new structure or an addition to an existing structure, the failure to secure a building permit and commence construction within the one (1) year period shall be deemed nonuse.

A conditional use permit approval may be renewed for an additional period of one (1) year provided that prior to the expiration of the year from the date when the permit originally became effective, an application for renewal is filed with the Community Development Department. The Community Development Director may grant an application for renewal where there is no change from the original application or condition or refer the matter to the Planning Commission. An application for renewal involving any change from the original application or condition shall be treated as a new application.

10-3.1308 – Expiration and effective date.

(a) The Community Development Director or Planning Commission, as applicable, may set an expiration date for a conditional use permit, or may allow it without a specified expiration date. In the case of a conditional use permit with an expiration date, the applicant may apply for a new conditional use permit upon expiration.

(b) The conditional use permit shall become effective upon the expiration of ten (10) days following the date on which the permit was granted unless an appeal has been made to the Town Council.

SECTION 5: Ordinance Amendment 2. Title 10, Chapter 3, Article 6, Section 607 "Nonconforming uses and improvements" is hereby repealed and replaced with Title 10, Chapter 3, Article 29 "Nonconforming uses, structures, and lots" as set forth below.

Article 29. – Nonconforming Uses, Structures, and Lots

10-3.2900 – Purpose and intent.

The purpose of this Article is to establish uniform provisions for the regulation of nonconforming land uses, structures, and lots.

(a) Within the zoning districts established by the Town's Zoning Ordinance, there exist land uses, structures, and lots that were lawful before the adoption or amendment of the Zoning Ordinance, but which would be prohibited, regulated, or restricted differently under the terms of the current Zoning Ordinance or future amendments.

(b) It is the intent of the Zoning Ordinance to discourage the long-term continuance of nonconformities, but to permit them to list under limited conditions.

(c) This Article does not apply to land uses, structures, or lots that were illegally established, constructed, or divided.

10-3.2901 – Nonconforming uses of land.

(a) Prohibited activities. A nonconforming use of land, or a nonconforming use within a structure, may be continued, transferred, or sold only as followed:

1. Owners or tenants of nonconforming uses shall not:

(i) Enlarge or increase the nonconforming use;

(ii) Extend the nonconforming use to occupy a greater area of land than that occupied by the use at the time it became nonconforming; or

(iii) Move the nonconforming use, in whole or in part, to any other location on the subject parcel.

(b) No change in use. A nonconforming use shall not be changed or expanded, except to reduce the extent of the nonconformity or to remove it from the site.

(c) Loss of legal nonconforming status. A nonconforming use shall not retain the benefits under this Article (unless exempt pursuant to this Article) if:

(i) The nonconforming use has been abandoned or discontinued for a continuous period of ninety (90) days, or if a structure is not occupied by the nonconforming use for a continuous period of ninety (90) days.

(ii) The structure in which the nonconforming use is conducted or maintained is destroyed. For the meaning of this Section, "destroyed" means destruction by any means of 75% or more than the assessed value of the structure excluding the land value, which determination shall be made by the Community Development Director.

(d) Replacement uses. The use of the site after the discontinuance or removal of a nonconforming use shall comply with all applicable requirements of the Zoning Ordinance and the zoning district.

10-3.2902 – Nonconforming structures.

(a) Additions or alterations. A nonconforming structure may be altered only as follows:

(i) A nonconforming structure may undergo additions or alterations, normal maintenance and repairs including painting, interior and exterior wall surface repair, window and roof repair, and fixture replacement provided that:

(1) The additions, alterations, and/or repairs comply with all applicable provisions of the Zoning Code; and

(2) Demolition shall be considered to occur when seventy-five (75%) or more of the existing exterior walls of a structure, measured above the foundation, are removed; and

(3) The structure shall not be enlarged or altered in a manner that increases its nonconformity; however the structure or any portion thereof may be altered to decrease its nonconformity.

(b) Replacement after destruction. A nonconforming structure that is destroyed by any means, or declared unsafe by the Building Inspector, of 75% or more than the assessed value of the structure excluding the land value, which determination shall be made by the Community Development Director, shall be reconstructed or replaced only in compliance with all applicable provisions of the Zoning Ordinance.

(c) Seismic retrofitting and building code compliance. Repairs or alterations otherwise required by law shall be allowed in the following circumstances:

(i) Reconstruction required to reinforce unreinforced masonry structures shall be allowed without the cost limitations in this Article provided that it is limited exclusively to compliance with earthquake safety standards.

(ii) Reconstruction required to comply with the Town Building Code shall be allowed without the cost limitations in this Article provided that the reconstruction is limited exclusively to the applicable provisions in the Town Building Code.

(d) Exemptions.

(i) Dwellings. Nonconforming single- and multi-family dwellings that have been involuntarily damaged or destroyed may be reconstructed or replaced with a new structure using the same development standards applied to the damage or destroyed structure at the time of construction. If no specific development standards are applicable to the original structure, then it may be reconstructed or replaced as found prior to destruction.

(ii) Public structures and utilities. Nothing in this Article shall be construed to require the discontinuance, removal, or termination, or to prohibit the alteration, expansion, maintenance, rebuilding, reconstruction, repair or replacement of a publicly owned structure or utility.

All new construction under this Section shall comply with all applicable current Building and Fire Codes.

10-3.2903 – Termination of nonconforming uses.

A nonconforming use may be terminated subject to the following provisions:

(a) The Town Council may initiate a public hearing to consider termination of a nonconforming use under this Section on its own or upon the recommendation of the Planning Commission.

(b) The property owner shall be given notice of the hearing in accordance with California Government Code section 65091.

(c) Failure to appear a hearing pursuant to this Section shall constitute a waiver of a the right to object to the termination of a nonconforming use status.

(d) The Town Council shall make the final determination whether to terminate a nonconforming use and shall issue a decision in writing. If the proposed termination is approved by the Council, the use may be continued for a period of two (2) years from the date of the decision, after which time the nonconforming use shall cease.

SECTION 6: Severability. The Town Council hereby declares every section, paragraph, sentence, clause, and phrase is severable. If any section, paragraph, sentence, clause or phrase of these Ordinance Amendments for any reason is found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

S**ECTION 7**: Effective Date. These Ordinance Amendments shall go into effect thirty (30) days from its adoption. Prior to the expiration of fifteen (15) days of adoption, these Ordinance Amendments or a summary thereof pursuant to Government Code section 36933, shall be published at least once in a newspaper of general circulation, along with the names of the

members of the Town Council voting for and against its adoption.

INTRODUCED AND ADOPTED AT A PUBLIC HEARING at a regular meeting of the San Anselmo Town Council on _____ by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSED:

APPROVED:_____
Tarrell Kullaway, Mayor

ATTEST:_____
Serge Avila, Town Clerk

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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING TITLE 10 "PLANNING AND ZONING", CHAPTER 3 "ZONING', ARTICLE 3 "CONDITIONAL USE PERMIT"; REMOVING TITLE 10, CHAPTER 3, ARTICLE 6, SECTION 10-3.607 "NONCONFORMING USES AND IMPROVEMENTS" AND REPLACING WITH NEW ARTICLE 29 "NONCONFORMING USES, STRUCTURES, AND LOTS"; AND MAKING ASSOCIATED CEQA EXEMPTION FINDINGS

WHEREAS, a conditional use permit (CUP) allows a use of property that is not in strict in compliance with the zoning code with the imposition of certain conditions, which remains in effect so long as the conditions in the permit are satisfied, there is no expiration date in the permit that has expired, and the use is not a public nuisance; and

WHEREAS, the Town desires to ensure compliance with CUPs and provide processes to review CUP compliance in order to promote the stability and consistency of land uses within the Town; and

WHEREAS, the Town desires to update the CUP Ordinance to: allow the inclusion of a CUP expiration date; provide a revocation hearing process for CUPs that are out of compliance with the conditions in the permit either by violation or by a period of nonuse; and make other clarification and update changes ("CUP Ordinance Amendments"); and

WHEREAS, a legal nonconforming use, structure, or lot (or a "grandfathered" use, structure, or lot) is one that was lawful on the effective date of a new zoning restriction which made it unlawful, and has continued since that time; and

WHEREAS, to ensure the cohesive and predictable development of the Town that is consistent with Town goals, it is desirable that nonconforming uses, structures, and lots be replaced by conforming uses, structures, and lots over time; and

WHEREAS, the Town's nonconforming use ordinance, Municipal Code section 10-3.607, is outdated and the Town desires to adopt an updated nonconforming use code to provide more predictability, clarity, and the ability for the Town Council to consider revocation of a nonconforming use; and

WHEREAS, the Town desires to update the Town's nonconforming use ordinance, Municipal Code section 10-3.607 ("Nonconforming Use Ordinance Amendments", collectively with the "CUP Ordinance Amendments" referred to as the "Ordinance Amendments"); and

WHEREAS, pursuant to Article XI, Section 7 of the California Constitution, the Town may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, the Ordinance Amendments are in the public interest because they will help ensure that land uses remain consistent with their surroundings and provide processes for the Town to revoke noncompliant and nonconforming uses; and

WHEREAS, the Ordinance Amendments are exempt from review under the California

Environmental Quality Act (CEQA) pursuant to the "common sense" exemption, CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance Amendments will have a significant effect on the environment; pursuant to CEQA Guideline section 15301 involving the minor alteration of existing residences involving negligible or no expansion of use beyond that already in existence; and Section 15303 New Construction or Conversion of Small Structures, because it can be seen with certainty that there is no possibility the Amendments would not have a significant effect on the environment and they make no or minimal changes to land uses, development intensities, or the rate at which development is expected to occur; and

WHEREAS, the ordinance amendments are consistent with the goals and policies of the San Anselmo General Plan, including maintaining the viability of the Town's commercial core and preserving its small-town character; and by encouraging the monitoring and review of conditional use permits and nonconforming uses, the amendments promote the appropriate use of property, discourage long-term vacancy or disuse, and support the overall health and vitality of the Town's commercial areas; and

WHEREAS, the Ordinance Amendments do not impact the Town's Climate Action Plan; and

WHEREAS, the Planning Commission is responsible for providing recommendations to the Town Council for proposed amendments to the Town's Zoning Code pursuant to Government Code section 65853 et seq.; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 18, 2025 to consider the Ordinance Amendments and recommended Town Council adoption of the Amendments; and

WHEREAS, the Town Clerk caused notice of a Town Council public hearing regarding the Town Council's adoption of the Ordinance Amendments in the Marin Independent Journal newspaper on as required by Government Code section 36933 and published the text of the Ordinance Amendments as required by State law; and

WHEREAS, on [DATE] the Town Council held a duly noticed public hearing to consider introduction of the Ordinance Amendments.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and incorporated as findings herein.

SECTION 2. Environmental Review. The Ordinance Amendments are exempt from review under the California Environmental Quality Act (CEQA) pursuant to the "common sense" exemption, CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance Amendments will have a significant effect on the environment; pursuant to CEQA Guideline section 15301 involving the minor alteration of existing residences involving negligible or no expansion of use beyond that already in existence;

and Section 15303 New Construction or Conversion of Small Structures, because it can be seen with certainty that there is no possibility the Amendments would not have a significant effect on the environment and they make no or minimal changes to land uses, development intensities, or the rate at which development is expected to occur.

SECTION 3. General Plan Consistency Finding. The ordinance amendments are consistent with the goals and policies of the San Anselmo General Plan, including maintaining the viability of the Town's commercial core and preserving its small-town character; and by encouraging the monitoring and review of conditional use permits and nonconforming uses, the amendments promote the appropriate use of property, discourage long-term vacancy or disuse, and support the overall health and vitality of the Town's commercial areas;

SECTION 4: Ordinance Amendment 1. The following are changes and amendments to the Town of San Anselmo Municipal Code Title 10 "Planning and Zoning", Chapter 3 "Zoning", Article 13 "Conditional Use Permit". New language in underline, deleted language in ~~strikeout~~. Amendments shall be renumbered as appropriate.

Article 3. – Conditional Use Permit

10-3.1301 – Purpose and intent.

~~The purpose of a conditional use permit is to allow for the review of a specific use or uses to ensure that the use is compatible with surrounding land uses and to allow, if necessary, the imposition of conditions to ensure the use or uses comply with intent of the ordinance codified in this chapter.~~

The purpose of this Article is to allow for uses within a zoning district that may be made compatible with the primary uses of the district with the imposition of conditions if the findings are satisfied.

10-3.1302 – Initiation of a conditional use permit.

A conditional use permit may be initiated by any of the following:

(a) The owner or owners of record of a lot or lots for which a conditional use permit is sought; or

(b) The Town Council, when such conditional use permit is required for activities taken on behalf of the Town. The initiation of a conditional use permit by the Town Council may be either upon the Council's initiation, or by recommendation of the ~~Planning Director~~ Community Development Director or the Planning Commission.

10-3.1303 – Application requirements.

An application for a conditional use permit shall be submitted with content specified by the Community Development Director together with such other information as may be required by the hearing body and/or Community Development Director or designee, and the required fees shall be paid. The schedule of fees shall be determined by resolution of the Town Council. ~~include, at a minimum, the following:~~

~~(a) A completed application form of a content specified by the Planning Director Community Development Director;~~

~~(b) A completed environmental information work sheet of a content and form specified by the Planning Director Community Development Director; and~~

~~(c) Payment of fees for the review and processing of a conditional use permit, in a fashion and manner as may be prescribed by the Town Council.~~

10-3.1304 – Review of conditional use permit.

A conditional use permit may be acted upon either by: (1) the ~~Planning Director~~ Community Development Director or designee; or (2) the Planning Commission after it ~~the Planning Commission~~ conducts one (1) or more public hearings on the conditional use permit. In approving a conditional use permit, the Community Development Director and/or Planning Commission may impose any condition that is reasonably necessary to achieve the objectives of this Title; however, no condition may require the dedication of land for any purpose not reasonably related to the use of the property for which the permit is being requested, nor the posting of a bond to guarantee installation of public improvements not reasonably related to the use of the property for which the permit is requested.

The following identifies which conditional use permit applications may be acted upon by the ~~Planning Director~~ Community Development Director and which use permit applications shall be acted upon by the Planning Commission:

(a) ~~Planning Director~~ Community Development Director.

(1) Accessory use, when such a use is very low in scale, will not cause a significant increase in intensity of use of the property, and will not alter the primary use of the facility.

(2) Outdoor storage and display of merchandise, plants, and street furniture based upon one (1) of the following:

(a) Within the "C" Districts, the outdoor display and sale of merchandise for a limited time period; and

(b) Within all Districts, the outdoor placement of plants and street furniture on public or private property in limited quantity which, in the opinion of the Planning District will not hinder the free use

of the public sidewalk. Such plants and street furniture shall not bear signs, price tags, or other indications that the plants or street furniture is for sale or rent.

(3) Temporary uses.

(a) Temporary uses. Any use may be authorized on a temporary basis in any commercial zoning district for up to and no more than one (1) year provided the use conforms with the Town's Building and Fire Codes. The Community Development Director may allow a single extension of the original time limits and not to exceed the length of the time originally allowed.

The ~~Planning Director~~ Community Development Director may refer any of the above to the Planning Commission if, in the opinion of the Community Development Director review by the commission is desirable.

(b) Planning Commission.

All other conditional use permit applications not identified in subsection (a) of this section. Should a property require more than one (1) planning application and should any of those applications require Planning Commission review, then all planning applications associated with the property shall require Planning Commission review.

10-3.1305 – Required findings for conditional use permit.

~~Approval of a conditional use permit, which may include the imposition of conditions, shall be made only after the making of the following findings:~~

The Community Development Director or Planning Commission, as applicable, may grant an application for a conditional permit if all of the following findings can be made:

(a) The proposed location of the conditional use is consistent with the objectives of this Title and the purpose of the zoning district;

(b) The proposed location of the conditional use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare; and

(c) The proposed conditional use will comply with the general plan and each applicable provision of this Title.

~~(d) The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the~~

~~neighborhood of the proposed use or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town.~~

In addition to the foregoing finding, special findings shall be made for certain districts or uses, as follows:

(e) Gasoline Stations—All Districts:

(1) Full Serve and Self-Service Gasoline Stations—ALL DISTRICTS: All operations including storage, excepting service with gasoline, oil, air, and water shall be conducted within a closed building.

(2) Self-Service Gasoline Stations—ALL DISTRICTS: The granting of the conditional use permit will not adversely affect the public health, safety, or welfare by either diminishing the availability of minor emergency health and safety services, including rest rooms and minor automobile repair.

(f) Limited Commercial (C-L) District—All Uses Requiring a Conditional Use Permit: The granting of the conditional use permit will not allow a use which generates traffic at a rate greater than:

(1) Fifty (50) vehicle trip ends for each one thousand (1,000) gross square feet of gross leasable building area; 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.

(g) Ground Floor Office Uses—Downtown Commercial (C-2) District:

(1) The proposed office use supports the Town's economic development goals by contributing to a vibrant Downtown Commercial District.

(h) The granting or denying of a conditional use permit for the on-sale and off-sale of beer and wine in conjunction with the sale of motor fuel shall be subject to the following:

(1) The findings shall be based on substantial evidence in view of the whole record to justify the ultimate decision; and

(2) In addition to the standards listed in the state Business and Professions

Code Licensing Restrictions, the Town has the authority to further condition the conditional use permit.

~~(i) Conversion of a residential use to another use for buildings constructed on or before May 22, 1997:~~ The granting of a conditional use permit will not allow a use that diminishes the existing affordable housing stock, including multifamily units and mixed-use units (e.g., residential units above commercial uses). ~~unless there is a clear public benefit or equivalent housing can be provided.~~

(j) Animal Boarding: All exterior walls shall be soundproofed to eliminate potential animal noise to the exterior of the building.

(k) Light Manufacturing: The use shall not cause odors, noise, and other factors which make the environment less desirable.

(l) All Commercial Uses: The size and operating characteristics of the proposed development would provide a balanced mix of uses that would be compatible with the existing and future land uses in the vicinity.

(m) Planned Development — All Districts: Refer to the findings in Article 9 of this chapter of the San Anselmo Municipal Code.

10-3.1306 – Revocation of conditional use permit.

(a) A conditional use permit may be revoked or modified for noncompliance with any of the conditions specified in the permit or violation of law. The Planning Commission shall hold a public hearing to consider the proposed revocation, which hearing shall be noticed in accordance with California Government Code section 65091. The Planning Commission's decision may be appealed to the Town Council pursuant to Town Municipal Code section 1-4.01 et seq. Failure to appear at a hearing pursuant to this Section shall constitute a waiver of a the right to object to the revocation of a conditional use permit under this Section.

(b) For the purposes of this Section, noncompliance with the conditional use permit shall include the violation of any condition in the conditional use permit and/or any abandonment of the approved use, which includes, without limitation, the replacement of the conditional use with another use and the absence of the use on the site that is the previously approved conditional use.

(c) The Town's right to revocation as provided in this Section shall be cumulative to any other remedy allowed by law.

10-3.1307 – Lapse.

A conditional use permit approval shall lapse and become null and void one (1) year following the date on which the permit becomes effective unless: prior to the expiration of the one (1) year a building permit is issued and is active on the site that was the subject of the

permit application; a certificate of occupancy is issued for the site or structure that was the subject of the conditional use permit application; or if an alternative period is specified in the conditional use permit. Where a conditional use permit authorizes construction of a new structure or an addition to an existing structure, the failure to secure a building permit and commence construction within the one (1) year period shall be deemed nonuse.

A conditional use permit approval may be renewed for an additional period of one (1) year provided that prior to the expiration of the year from the date when the permit originally became effective, an application for renewal is filed with the Community Development Department. The Community Development Director may grant an application for renewal where there is no change from the original application or condition or refer the matter to the Planning Commission. An application for renewal involving any change from the original application or condition shall be treated as a new application.

10-3.1308 – Expiration and effective date.

(a) The Community Development Director or Planning Commission, as applicable, may set an expiration date for a conditional use permit, or may allow it without a specified expiration date. In the case of a conditional use permit with an expiration date, the applicant may apply for a new conditional use permit upon expiration.

(b) The conditional use permit shall become effective upon the expiration of ten (10) days following the date on which the permit was granted unless an appeal has been made to the Town Council.

SECTION 5: Ordinance Amendment 2. Title 10, Chapter 3, Article 6, Section 607 "Nonconforming uses and improvements" is hereby repealed and replaced with Title 10, Chapter 3, Article 29 "Nonconforming uses, structures, and lots" as set forth below.

Article 29. – Nonconforming Uses, Structures, and Lots

10-3.2900 – Purpose and intent.

The purpose of this Article is to establish uniform provisions for the regulation of nonconforming land uses, structures, and lots.

(a) Within the zoning districts established by the Town's Zoning Ordinance, there exist land uses, structures, and lots that were lawful before the adoption or amendment of the Zoning Ordinance, but which would be prohibited, regulated, or restricted differently under the terms of the current Zoning Ordinance or future amendments.

(b) It is the intent of the Zoning Ordinance to discourage the long-term continuance of nonconformities, but to permit them to list under limited conditions.

(c) This Article does not apply to land uses, structures, or lots that were illegally

established, constructed, or divided.

10-3.2901 – Nonconforming uses of land.

(a) Prohibited activities. A nonconforming use of land, or a nonconforming use within a structure, may be continued, transferred, or sold only as followed:

1. Owners or tenants of nonconforming uses shall not:

(i) Enlarge or increase the nonconforming use;

(ii) Extend the nonconforming use to occupy a greater area of land than that occupied by the use at the time it became nonconforming; or

(iii) Move the nonconforming use, in whole or in part, to any other location on the subject parcel.

(b) No change in use. A nonconforming use shall not be changed or expanded, except to reduce the extent of the nonconformity or to remove it from the site.

(c) Loss of legal nonconforming status. A nonconforming use shall not retain the benefits under this Article (unless exempt pursuant to this Article) if:

(i) The nonconforming use has been abandoned or discontinued for a continuous period of ninety (90) days, or if a structure is not occupied by the nonconforming use for a continuous period of ninety (90) days.

(ii) The structure in which the nonconforming use is conducted or maintained is destroyed. For the meaning of this Section, "destroyed" means destruction by any means of 75% or more than the assessed value of the structure excluding the land value, which determination shall be made by the Community Development Director.

(d) Replacement uses. The use of the site after the discontinuance or removal of a nonconforming use shall comply with all applicable requirements of the Zoning Ordinance and the zoning district.

10-3.2902 – Nonconforming structures.

(a) Additions or alterations. A nonconforming structure may be altered only as follows:

(i) A nonconforming structure may undergo additions or alterations, normal maintenance and repairs including painting, interior and exterior wall surface repair, window and roof repair, and fixture replacement provided that:

(1) The additions, alterations, and/or repairs comply with all applicable provisions of the Zoning Code; and

(2) Demolition shall be considered to occur when seventy-five (75%) or more of the existing exterior walls of a structure, measured above the foundation, are removed; and

(3) The structure shall not be enlarged or altered in a manner that increases its nonconformity; however the structure or any portion thereof may be altered to decrease its nonconformity.

(b) Replacement after destruction. A nonconforming structure that is destroyed by any means, or declared unsafe by the Building Inspector, of 75% or more than the assessed value of the structure excluding the land value, which determination shall be made by the Community Development Director, shall be reconstructed or replaced only in compliance with all applicable provisions of the Zoning Ordinance.

(c) Seismic retrofitting and building code compliance. Repairs or alterations otherwise required by law shall be allowed in the following circumstances:

(i) Reconstruction required to reinforce unreinforced masonry structures shall be allowed without the cost limitations in this Article provided that it is limited exclusively to compliance with earthquake safety standards.

(ii) Reconstruction required to comply with the Town Building Code shall be allowed without the cost limitations in this Article provided that the reconstruction is limited exclusively to the applicable provisions in the Town Building Code.

(d) Exemptions.

(i) Dwellings. Nonconforming single- and multi-family dwellings that have been involuntarily damaged or destroyed may be reconstructed or replaced with a new structure using the same development standards applied to the damage or destroyed structure at the time of construction. If no specific development standards are applicable to the original structure, then it may be reconstructed or replaced as found prior to destruction.

(ii) Public structures and utilities. Nothing in this Article shall be construed to require the discontinuance, removal, or termination, or to prohibit the alteration, expansion, maintenance, rebuilding, reconstruction, repair or replacement of a publicly owned structure or utility.

All new construction under this Section shall comply with all applicable current Building and Fire Codes.

10-3.2903 – Termination of nonconforming uses.

A nonconforming use may be terminated subject to the following provisions:

(a) The Town Council may initiate a public hearing to consider termination of a nonconforming use under this Section on its own or upon the recommendation of the Planning Commission.

(b) The property owner shall be given notice of the hearing in accordance with California Government Code section 65091.

(c) Failure to appear a hearing pursuant to this Section shall constitute a waiver of a the right to object to the termination of a nonconforming use status.

(d) The Town Council shall make the final determination whether to terminate a nonconforming use and shall issue a decision in writing. If the proposed termination is approved by the Council, the use may be continued for a period of two (2) years from the date of the decision, after which time the nonconforming use shall cease.

SECTION 6: Severability. The Town Council hereby declares every section, paragraph, sentence, clause, and phrase is severable. If any section, paragraph, sentence, clause or phrase of these Ordinance Amendments for any reason is found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

S**ECTION 7**: Effective Date. These Ordinance Amendments shall go into effect thirty (30) days from its adoption. Prior to the expiration of fifteen (15) days of adoption, these Ordinance Amendments or a summary thereof pursuant to Government Code section 36933, shall be published at least once in a newspaper of general circulation, along with the names of the members of the Town Council voting for and against its adoption.

INTRODUCED AND ADOPTED AT A PUBLIC HEARING at a regular meeting of the San Anselmo Town Council on _____ by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSED:

APPROVED:_____
Tarrell Kullaway, Mayor

ATTEST:_____
Serge Avila, Town Clerk

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SAN ANSELMO PLANNING COMMISSION
RESOLUTION NO. 2025-17

RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF SAN ANSELMO RECOMMENDING TOWN COUNCIL ADOPTION OF ORDINANCE AMENDMENTS TO TITLE 10 "PLANNING AND ZONING", CHAPTER 3 "ZONING', ARTICLE 3 "CONDITIONAL USE PERMIT"; REMOVING TITLE 10, CHAPTER 3, ARTICLE 6, SECTION 10-3.607 "NONCONFORMING USES AND IMPROVEMENTS" AND REPLACING WITH NEW ARTICLE 29 "NONCONFORMING USES, STRUCTURES, AND LOTS"; AND MAKING ASSOCIATED CEQA EXEMPTION FINDINGS

WHEREAS, a conditional use permit (CUP) allows a use of property that is not in strict in compliance with the zoning code with the imposition of certain conditions, which remains in effect so long as the conditions in the permit are satisfied, there is no expiration date in the permit that has expired, and the use is not a public nuisance; and

WHEREAS, the Town desires to ensure compliance with CUPs and provide processes to review CUP compliance in order to promote the stability and consistency of land uses within the Town; and

WHEREAS, the Town desires to update the CUP Ordinance to: allow the inclusion of a CUP expiration date; provide a revocation hearing process for CUPs that are out of compliance with the conditions in the permit either by violation or by a period of nonuse; and make other clarification and update changes ("CUP Ordinance Amendments"); and

WHEREAS, a legal nonconforming use, structure, or lot (or a "grandfathered" use, structure, or lot) is one that was lawful on the effective date of a new zoning restriction which made it unlawful, and has continued since that time; and

WHEREAS, to ensure the cohesive and predictable development of the Town that is consistent with Town goals, it is desirable that nonconforming uses, structures, and lots be replaced by conforming uses, structures, and lots over time; and

WHEREAS, the Town's nonconforming use ordinance, Municipal Code section 10-3.607, is outdated and the Town desires to adopt an updated nonconforming use code to provide more predictability, clarity, and the ability for the Town Council to consider revocation of a nonconforming use; and

WHEREAS, the Town desires to update the Town's nonconforming use ordinance, Municipal Code section 10-3.607 ("Nonconforming Use Ordinance Amendments", collectively with the "CUP Ordinance Amendments" referred to as the "Ordinance Amendments"); and

WHEREAS, pursuant to Article XI, Section 7 of the California Constitution, the Town may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, the Ordinance Amendments are in the public interest because they will help ensure that land uses remain consistent with their surroundings and provide processes for the Town to revoke noncompliant and nonconforming uses; and

WHEREAS, the Ordinance Amendments are exempt from review under the California Environmental Quality Act (CEQA) pursuant to the "common sense" exemption, CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance Amendments will have a significant effect on the environment; pursuant to CEQA Guideline section 15301 involving the minor alteration of existing residences involving negligible or no expansion of use beyond that already in existence; and Section 15303 New Construction or Conversion of Small Structures, because it can be seen with certainty that there is no possibility the Amendments would not have a significant effect on the environment and they make no or minimal changes to land uses, development intensities, or the rate at which development is expected to occur; and

WHEREAS, the ordinance amendments are consistent with the goals and policies of the San Anselmo General Plan, including maintaining the viability of the Town's commercial core and preserving its small-town character; and by encouraging the monitoring and review of conditional use permits and nonconforming uses, the amendments promote the appropriate use of property, discourage long-term vacancy or disuse, and support the overall health and vitality of the Town's commercial areas; and

WHEREAS, the Ordinance Amendments do not impact the Town's Climate Action Plan; and

WHEREAS, the Planning Commission is responsible for providing recommendations to the Town Council for proposed amendments to the Town's Zoning Code pursuant to Government Code section 65853 et seq.; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 18, 2025 to consider the Ordinance Amendments and recommended Town Council adoption of the Amendments; and

WHEREAS, the Town Clerk caused notice of a Town Council public hearing regarding the Town Council's adoption of the Ordinance Amendments in the Marin Independent Journal newspaper on as required by Government Code section 36933 and published the text of the Ordinance Amendments as required by State law.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Based on substantial evidence in the record, the above recitals are true and correct and incorporated as findings herein.
2. The Planning Commission of the Town of San Anselmo does hereby recommend that the Town Council adopt the Ordinance Amendments as set forth in **Exhibits "A"** and incorporated herein by reference.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the San Anselmo Planning Commission on the 18th day of August 2025 by the following vote:

AYES: Asselstine, Heiman, Pipkin, Smith, Strauss
NOES: None
ABSTAIN: None
ABSENT: None

Heidi Scoble, Community Development Director

EXHIBIT "A"

SECTION 1. The above recitals are true and correct and incorporated as findings herein.

SECTION 2. Environmental Review. The Ordinance Amendments are exempt from review under the California Environmental Quality Act (CEQA) pursuant to the "common sense" exemption, CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance Amendments will have a significant effect on the environment; pursuant to CEQA Guideline section 15301 involving the minor alteration of existing residences involving negligible or no expansion of use beyond that already in existence; and Section 15303 New Construction or Conversion of Small Structures, because it can be seen with certainty that there is no possibility the Amendments would not have a significant effect on the environment and they make no or minimal changes to land uses, development intensities, or the rate at which development is expected to occur.

SECTION 3. General Plan Consistency Finding. The ordinance amendments are consistent with the goals and policies of the San Anselmo General Plan, including maintaining the viability of the Town's commercial core and preserving its small-town character; and by encouraging the monitoring and review of conditional use permits and nonconforming uses, the amendments promote the appropriate use of property, discourage long-term vacancy or disuse, and support the overall health and vitality of the Town's commercial areas;

SECTION 4: Ordinance Amendment 1. The following are changes and amendments to the Town of San Anselmo Municipal Code Title 10 "Planning and Zoning", Chapter 3 "Zoning", Article 13 "Conditional Use Permit". New language in underline, deleted language in ~~strikeout~~. Amendments shall be renumbered as appropriate.

Article 3. – Conditional Use Permit

10-3.1301 – Purpose and intent.

The purpose of this Article is to allow for uses within a zoning district that may be made compatible with the primary uses of the district with the imposition of conditions if the findings are satisfied.

10-3.1302 – Initiation of a conditional use permit.

A conditional use permit may be initiated by any of the following:

(a) The owner or owners of record of a lot or lots for which a conditional use permit is sought; or

(b) The Town Council, when such conditional use permit is required for activities taken on behalf of the Town. The initiation of a conditional use permit by the Town Council may be either upon the Council's initiation, or by recommendation of the Community Development Director or the Planning Commission.

10-3.1303 – Application requirements.

An application for a conditional use permit shall be submitted with content specified by the Community Development Director together with such other information as may be required by the hearing body and/or Community Development Director or designee, and the required fees shall be paid. The schedule of fees shall be determined by resolution of the Town Council.

10-3.1304 – Review of conditional use permit.

A conditional use permit may be acted upon either by: (1) the Community Development Director or designee; or (2) the Planning Commission after it conducts one (1) or more public hearings on the conditional use permit. In approving a conditional use permit, the Community Development Director and/or Planning Commission may impose any condition that is reasonably necessary to achieve the objectives of this Title; however, no condition may require the dedication of land for any purpose not reasonably related to the use of the property for which the permit is being requested, nor the posting of a bond to guarantee installation of public improvements not reasonably related to the use of the property for which the permit is requested.

The following identifies which conditional use permit applications may be acted upon by the Community Development Director and which use permit applications shall be acted upon by the Planning Commission:

(a) Community Development Director.

(1) Accessory use, when such a use is very low in scale, will not cause a significant increase in intensity of use of the property, and will not alter the primary use of the facility.

(2) Outdoor storage and display of merchandise, plants, and street furniture based upon one (1) of the following:

(a) Within the "C" Districts, the outdoor display and sale of merchandise for a limited time period; and

(b) Within all Districts, the outdoor placement of plants and street furniture on public or private property in limited quantity which, in the opinion of the Planning District will not hinder the free use of the public sidewalk. Such plants and street furniture shall not bear signs, price tags, or other indications that the plants or street furniture is for sale or rent.

(3) Temporary uses.

(a) Temporary uses. Any use may be authorized on a temporary basis in any commercial zoning district for up to and no more than one (1) year provided the use conforms with the Town's Building and Fire Codes. The Community Development Director may allow a single extension of the original time limits and not to exceed the length of the time originally allowed.

The Community Development Director may refer any of the above to the Planning Commission if, in the opinion of the Community Development Director review by the commission is desirable.

(b) Planning Commission.

All other conditional use permit applications not identified in subsection (a) of this section. Should a property require more than one (1) planning application and should any of those applications require Planning Commission review, then all planning applications associated with the property shall require Planning Commission review.

10-3.1305 – Required findings for conditional use permit.

The Community Development Director or Planning Commission, as applicable, may grant an application for a conditional permit if all of the following findings can be made:

(a) The proposed location of the conditional use is consistent with the objectives of this Title and the purpose of the zoning district;

(b) The proposed location of the conditional use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare; and

(c) The proposed conditional use will comply with the general plan and each applicable provision of this Title.

In addition to the foregoing finding, special findings shall be made for certain districts or uses, as follows:

(d) Gasoline Stations—All Districts:

(1) Full Serve and Self-Service Gasoline Stations—ALL DISTRICTS: All operations including storage, excepting service with gasoline, oil, air, and water shall be conducted within a closed building.

(2) Self-Service Gasoline Stations—ALL DISTRICTS: The granting of the conditional use permit will not adversely affect the public health, safety, or welfare by either diminishing the availability of minor emergency health and safety services, including rest rooms and minor automobile repair.

(e) Limited Commercial (C-L) District—All Uses Requiring a Conditional Use Permit: The granting of the conditional use permit will not allow a use which generates traffic at a rate greater than:

(1) Fifty (50) vehicle trip ends for each one thousand (1,000) gross square feet of gross leasable building area; 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.

(f) Ground Floor Office Uses—Downtown Commercial (C-2) District:

(1) The proposed office use supports the Town's economic development goals by contributing to a vibrant Downtown Commercial District.

(g) The granting or denying of a conditional use permit for the on-sale and off-sale of beer and wine in conjunction with the sale of motor fuel shall be subject to the following:

(1) The findings shall be based on substantial evidence in view of the whole record to justify the ultimate decision; and

(2) In addition to the standards listed in the state Business and Professions Code Licensing Restrictions, the Town has the authority to further condition the conditional use permit.

(h) The granting of a conditional use permit will not allow a use that diminishes the existing affordable housing stock, including multifamily units and mixed-use units (e.g., residential units above commercial uses).

(i) Animal Boarding: All exterior walls shall be soundproofed to eliminate potential animal noise to the exterior of the building.

(j) Light Manufacturing: The use shall not cause odors, noise, and other factors which make the environment less desirable.

(k) All Commercial Uses: The size and operating characteristics of the proposed development would provide a balanced mix of uses that would be compatible with the existing and future land uses in the vicinity.

(l) Planned Development — All Districts: Refer to the findings in Article 9 of this chapter of the San Anselmo Municipal Code.

10-3.1306 – Revocation of conditional use permit.

(a) A conditional use permit may be revoked or modified for noncompliance with any of the conditions specified in the permit or violation of law. The Planning

Commission shall hold a public hearing to consider the proposed revocation, which hearing shall be noticed in accordance with California Government Code section 65091. The Planning Commission's decision may be appealed to the Town Council pursuant to Town Municipal Code section 1-4.01 et seq. Failure to appear at a hearing pursuant to this Section shall constitute a waiver of a the right to object to the revocation of a conditional use permit under this Section.

(b) For the purposes of this Section, noncompliance with the conditional use permit shall include the violation of any condition in the conditional use permit and/or any abandonment of the approved use, which includes, without limitation, the replacement of the conditional use with another use and the absence of the use on the site that is the previously approved conditional use.

(c) The Town's right to revocation as provided in this Section shall be cumulative to any other remedy allowed by law.

10-3.1307 – Lapse.

A conditional use permit approval shall lapse and become null and void one (1) year following the date on which the permit becomes effective unless: prior to the expiration of the one (1) year a building permit is issued and is active on the site that was the subject of the permit application; a certificate of occupancy is issued for the site or structure that was the subject of the conditional use permit application; or if an alternative period is specified in the conditional use permit. Where a conditional use permit authorizes construction of a new structure or an addition to an existing structure, the failure to secure a building permit and commence construction within the one (1) year period shall be deemed nonuse.

A conditional use permit approval may be renewed for an additional period of one (1) year provided that prior to the expiration of the year from the date when the permit originally became effective, an application for renewal is filed with the Community Development Department. The Community Development Director may grant an application for renewal where there is no change from the original application or condition or refer the matter to the Planning Commission. An application for renewal involving any change from the original application or condition shall be treated as a new application.

10-3.1308 – Expiration and effective date.

(a) The Community Development Director or Planning Commission, as applicable, may set an expiration date for a conditional use permit, or may allow it without a specified expiration date. In the case of a conditional use permit with an expiration date, the applicant may apply for a new conditional use permit upon expiration.

(b) The conditional use permit shall become effective upon the expiration of ten (10) days following the date on which the permit was granted unless an appeal has been made to the Town Council.

SECTION 5: Ordinance Amendment 2. Title 10, Chapter 3, Article 6, Section 607 "Nonconforming uses and improvements" is hereby repealed and replaced with Title 10, Chapter 3, Article 29 "Nonconforming uses, structures, and lots" as set forth below.

Article 29. – Nonconforming Uses, Structures, and Lots

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The purpose of this Article is to establish uniform provisions for the regulation of nonconforming land uses, structures, and lots.

(a) Within the zoning districts established by the Town's Zoning Ordinance, there exist land uses, structures, and lots that were lawful before the adoption or amendment of the Zoning Ordinance, but which would be prohibited, regulated, or restricted differently under the terms of the current Zoning Ordinance or future amendments.

(b) It is the intent of the Zoning Ordinance to discourage the long-term continuance of nonconformities, but to permit them to list under limited conditions.

(c) This Article does not apply to land uses, structures, or lots that were illegally established, constructed, or divided.

10-3.2901 – Nonconforming uses of land.

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1. Owners or tenants of nonconforming uses shall not:

(i) Enlarge or increase the nonconforming use;

(ii) Extend the nonconforming use to occupy a greater area of land than that occupied by the use at the time it became nonconforming; or

(iii) Move the nonconforming use, in whole or in part, to any other location on the subject parcel.

(b) No change in use. A nonconforming use shall not be changed or expanded, except to reduce the extent of the nonconformity or to remove it from the site.

(c) Loss of legal nonconforming status. A nonconforming use shall not retain the benefits under this Article (unless exempt pursuant to this Article) if:

(i) The nonconforming use has been abandoned or discontinued for a continuous period of ninety (90) days, or if a structure is not occupied by the nonconforming use for a continuous period of ninety (90) days.

(ii) The structure in which the nonconforming use is conducted or maintained is destroyed. For the meaning of this Section, "destroyed" means destruction by any means of 75% or more than the assessed value of the structure excluding the land value, which determination shall be made by the Community Development Director.

(d) Replacement uses. The use of the site after the discontinuance or removal of a nonconforming use shall comply with all applicable requirements of the Zoning Ordinance and the zoning district.

10-3.2902 – Nonconforming structures.

(a) Additions or alterations. A nonconforming structure may be altered only as follows:

(i) A nonconforming structure may undergo additions or alterations, normal maintenance and repairs including painting, interior and exterior wall surface repair, window and roof repair, and fixture replacement provided that:

(1) The additions, alterations, and/or repairs comply with all applicable provisions of the Zoning Code; and

(2) Demolition shall be considered to occur when seventy-five percent (75%) or more of the existing exterior walls of a structure, measured above the foundation, are removed; and

(3) The structure shall not be enlarged or altered in a manner that increases its nonconformity; however, the structure or any portion thereof may be altered to decrease its nonconformity.

(b) Replacement after destruction. A nonconforming structure that is destroyed by any means, or declared unsafe by the Building Inspector, of 75% or more than the assessed value of the structure excluding the land value, which determination shall be made by the Community Development Director, shall be reconstructed or replaced only in compliance with all applicable provisions of the Zoning Ordinance.

(c) Seismic retrofitting and building code compliance. Repairs or alterations otherwise required by law shall be allowed in the following circumstances:

(i) Reconstruction required to reinforce unreinforced masonry structures shall be allowed without the cost limitations in this Article provided that it is limited exclusively to compliance with earthquake safety standards.

(ii) Reconstruction required to comply with the Town Building Code shall be allowed without the cost limitations in this Article provided that the reconstruction is limited exclusively to the applicable provisions in the Town Building Code.

(d) Exemptions.

(i) Dwellings. Nonconforming single- and multi-family dwellings that have been involuntarily damaged or destroyed may be reconstructed or replaced with a new structure using the same development standards applied to the damage or destroyed structure at the time of construction. If no specific development standards are applicable to the original structure, then it may be reconstructed or replaced as found prior to destruction.

(ii) Public structures and utilities. Nothing in this Article shall be construed to require the discontinuance, removal, or termination, or to prohibit the alteration, expansion, maintenance, rebuilding, reconstruction, repair or replacement of a publicly owned structure or utility.

All new construction under this Section shall comply with all applicable current Building and Fire Codes.

10-3.2903 – Termination of nonconforming uses.

A nonconforming use may be terminated subject to the following provisions:

(a) The Town Council may initiate a public hearing to consider termination of a nonconforming use under this Section on its own or upon the recommendation of the Planning Commission.

(b) The property owner shall be given notice of the hearing in accordance with California Government Code section 65091.

(c) Failure to appear a hearing pursuant to this Section shall constitute a waiver of a the right to object to the termination of a nonconforming use status.

(d) The Town Council shall make the final determination whether to terminate a nonconforming use and shall issue a decision in writing. If the proposed termination is approved by the Council, the use may be continued for a period of two (2) years from the date of the decision, after which time the nonconforming use shall cease.

TOWN OF
SAN ANSELMO
EST. 1907

TOWN OF SAN ANSELMO
PLANNING COMMISSION STAFF REPORT

For the meeting of August 18, 2025

Agenda Item 5.A

Date: August 18, 2025

To: Chair Strauss and Members of the Planning Commission

From: Heidi Scoble, Community Development Director

Subject: Zoning Ordinance Amendments Related to Nonconforming Uses, Structures, and Conditional Use Permits (CUPs). The item is not subject to CEQA pursuant to Section 15060(c)(3) of the CEQA Guidelines because it does not constitute a "project".

RECOMMENDATION

That the Planning Commission hold a public hearing and adopt a Resolution (see **Attachment 1**) recommending that the Town Council adopt an Ordinance (see **Attachment 2**) to amend Title 10 of the San Anselmo Municipal Code. The proposed amendments include the repeal and replacement of Chapter 3, Article 6, Section 10-3.607 (Nonconforming Uses and Improvements) and updates to Chapter 3, Article 13 (Conditional Use Permits).

BACKGROUND:

In 2023, the Town Council adopted Ordinance No. 1179, amending the Planning and Zoning Code to align with the 2023–2031 Housing Element and key Economic Development Committee (EDC) recommendations. The ordinance introduced several updates to the C-2 (General Commercial) Zoning District, including:

- Requiring Conditional Use Permits (CUPs) for ground-floor office uses,
- Allowing pop-up uses in vacant commercial spaces, and
- Relaxing off-street parking requirements.

In connection with the EDC's ongoing efforts to maintain a vibrant, economically diverse, and pedestrian-oriented downtown core, the EDC requested that special findings be considered for inclusion regarding office land uses and to address legal nonconforming uses in the C-2 District.

These issues remain important to the Town's long-term goals and were not addressed in the adopted ordinance.

The Town has regulated nonconforming uses, nonconforming improvements, and conditional uses of land since adopting Ordinance No. 485 on December 11, 1962. The following is a summary of the Town's current policies regarding Nonconforming uses and improvements and CUPS.

Nonconforming uses and improvements

Legal nonconforming uses and improvements refer to land uses and buildings that were legally established under previous zoning regulations but no longer complies due to subsequent code changes. These are currently governed under Title 10, Chapter 3, Article 6, Section 10-3.607 of the San Anselmo Municipal Code. The purpose of the code section is to govern existing uses, buildings, and improvements that no longer meet current zoning or development standards but were legal when established as follows:

Nonconforming Uses:

- May continue if lawfully established before zoning changes, except:
  - Business/industrial uses on open and unimproved land without buildings must cease within 5 years of Jan 10, 1963.
  - Outdoor display/sales must cease after Feb 15, 1971.
- Abandonment or discontinuance for 6+ months ends the right to continue the use.
- Can not be expanded or intensified.
- Rules apply to districts rezoned in the future, with time limits starting from the zoning change.

Nonconforming Buildings/Improvements:

- If 50% or more of exterior walls above the foundation are removed, or the building is destroyed/demolished, it must comply with current regulations unless replaced in kind with no design/location changes other than minor setback adjustment for maintenance.
- Can be maintained, repaired, enlarged, or altered only if the changes meet all current zoning and development standards or qualify for listed exemptions.

If a nonconforming use cannot comply with current regulations, a Zoning Ordinance Amendment may be required when the use is not permitted or conditionally permitted in the applicable zoning district. Similarly, if a nonconforming building or improvement does not meet development standards, a Variance must be requested to seek exceptions to those standards.

Conditional Use Permit

Under California law, CUPs generally "run with the land," meaning they remain valid through changes in ownership or tenancy unless a permit explicitly includes an expiration or review date. These are regulated by Title 10, Chapter 3, Article 13 of the San Anselmo Municipal Code. The

purpose of the code section is to review specific uses that have been listed in Title 10, Chapter 3, Article 3, Section 10-3.302, Land Use Regulations Table, to ensure compatibility with surrounding land uses and to conditionally allow uses to ensure compliance with the zoning intent. The following is a summary of the Town's CUP policies and procedures:

- **Initiation:**
  - CUP applications can be initiated by property owners or the Town Council (including Planning Director/Commission recommendations).
- **Application Requirements:**
  - Must include a completed application form, environmental worksheet, and payment of applicable fees.
- **Review Process:**
  - The Planning Director can approve minor CUPs (e.g., small accessory uses, limited outdoor displays, temporary uses up to 1 year).
  - The Planning Commission reviews all other CUP applications or those referred by the Director.
  - Multiple related applications requiring Commission review must all be reviewed by the Commission.
- **Required Findings for Approval:**
  - The use must not harm the health, safety, or welfare of the neighborhood or Town. Additional findings apply for certain uses and districts, including:
    - Gas stations must conduct all operations (except fuel dispensing) indoors and must not reduce emergency service availability.
    - Limited Commercial uses cannot generate traffic above specified thresholds.
    - Sale of beer and wine with motor fuel requires findings based on substantial evidence and may be further conditioned.
    - Conversion of older residential buildings must not reduce affordable housing unless public benefit or replacement housing is provided.
    - Animal boarding facilities must be soundproofed.
    - Light manufacturing must not create nuisances like odor or noise.
    - Commercial uses must be compatible in size and operation with surrounding land uses.

To support policy development and clarify regulatory authority, the Town Attorney prepared a legal summary (see **Attachment 3**) outlining key distinctions between CUPs and nonconforming uses. Highlights include:

- **CUPs** are vested property rights that, once issued and relied upon, run with the land and cannot be revoked automatically due to changes in tenancy, ownership, or nonuse.

Revocation must be based on cause and requires a due process hearing. However, CUPs may include expiration dates, which allow for automatic termination if clearly stated.

- **Future CUPs** may be crafted with expiration dates, review periods, or conditions that initiate revocation proceedings if a use changes or ceases. While nonuse may support revocation, it must be evaluated on a case-by-case basis.

- **Nonconforming uses** (those legally established under previous zoning regulations but now inconsistent with current zoning) may be subject to amortization or expiration if abandoned. The Town's current code considers nonconforming uses abandoned if discontinued for six months or more.

Economic Development Committee (EDC) Review

In response to direction and input from the EDC during publicly noticed meetings on April 9 and June 10, 2025, the Planning Department prepared targeted amendments to the Town's Zoning Ordinance. These amendments aim to strengthen the economic vitality of the Town's commercial areas, especially the C-2 (General Commercial) Zoning District. The Committee's feedback emphasized preserving flexibility while advancing the Town's economic development goals. Key discussion points included:

- **Storefront Occupancy:** Emphasized the importance of maintaining occupied spaces over prolonged vacancies and supported a flexible, common-sense approach to CUP review.
- **Office Use Limits:** While a cap on office uses (e.g., 20%) was discussed, the majority of EDC members did not support establishing a formal limit.
- **Nonconforming Use Timelines:** Expressed strong support for shortening the current abandonment period from six months to 90 days.
- **Vacancy Thresholds:** Considered a proposal to allow ground-floor office uses only after 60 days of vacancy, but the majority did not support moving forward with this standard.
- **CUP Findings:** Recommended simplifying and clarifying required findings to ensure alignment with the Town's economic development goals.
- **Real Estate Offices:** Discussed a potential prohibition on real estate offices in the C-2 District; however, most members did not support this restriction.
- **CUP Expirations:** Suggested that CUPs should terminate when a use ends or a tenant vacates, rather than relying on fixed expiration dates.
- **Overarching Policy Goal:** Emphasized that all ordinance amendments should contribute to a more vibrant, economically resilient downtown.

Public input emphasized the importance of supporting coworking office space while preserving the Town's unique downtown character, with a focus on retail, dining, and destination-based uses.

DISCUSSION:

This item presents targeted amendments to the Town's Zoning Ordinance concerning Nonconforming Uses and Improvements and CUPs.

In response to direction and input from the EDC, the Planning Department has prepared these amendments to strengthen the economic vitality of the Town's commercial areas, with a focus on the C-2 (General Commercial) Zoning District. The proposed changes clarify and modernize regulations related to CUPs and nonconforming uses and structures, addressing ongoing concerns about prolonged vacancies and the presence of office uses in areas intended to foster commercial vibrancy and economic growth.

Guided by the EDC's feedback and aligned with its initiatives for commercial vitality, the key proposed amendments are summarized below (see **Attachment 2**):

Nonconforming Uses and Improvements

- Updated Purpose and Intent: Clarifies the goals of the regulations and provides guidance on how the regulations should be applied.

- Reduced Abandonment Period: Amend regulations to reduce the abandonment period from six months to 90 days. This change discourages prolonged vacancy and encourages timely reuse of commercial spaces.

- Increased Rebuild Threshold: Raise the rebuilding threshold for nonconforming structures from 50% to 75% of the structure's walls to be demolished prior to having to require the building to come into conformity. This provides property owners with greater flexibility to reinvest in existing buildings while ensuring eventual conformity.

- Termination of nonconforming uses provisions: Explains who has the authority to make decisions and outlines the due process procedures for ending a nonconforming use.

CUPS

- Updated Findings: Revised CUP findings to ensure alignment with the zoning district's purpose, consistency with the General Plan, and inclusion of specific findings for ground-floor office uses in the C-2 District. These changes aim to promote active, pedestrian-oriented uses while allowing appropriate flexibility.

- CUP Expiration Authority: Empower the Community Development Director or Planning Commission to establish expiration dates for CUPs, with applicants allowed to reapply after expiration. This tool helps manage land use transitions and prevent indefinite underuse of spaces.

These updates are intended to provide clearer regulatory pathways, support a vibrant and adaptable downtown, and improve the Town's ability to manage underutilized or outdated land

uses. By aligning CUP procedures and nonconforming use regulations with the Town's economic development goals and zoning objectives, the amendments balance preserving neighborhood character with encouraging reinvestment in commercial areas.

Finally, the Town Attorney's legal guidance supports the development of zoning amendments that are legally defensible and clearly distinguish between CUPs and nonconforming uses, particularly regarding abandonment, transferability, and termination procedures.

GENERAL PLAN CONSISTENCY

The proposed zoning ordinance amendments are consistent with the goals, policies, and implementation programs of the San Anselmo General Plan, including those related to land use, economic vitality, community character, and sustainability.

Specifically, the amendments support the following General Plan objectives:

- **Land Use Element Goal LU-1:** Maintain and enhance San Anselmo's small-town character and distinct commercial districts. The proposed updates reinforce the purpose of the C-2 Zoning District by promoting a balanced mix of uses that support a walkable, vibrant downtown.
- **Land Use Element Policy LU-3.2:** Encourage a mix of retail, service, office, and residential uses in commercial areas that contribute to the economic vitality and character of the Town. By clarifying regulations for office uses and conditional use permits (CUPs), the amendments help ensure that future uses are compatible with community goals and contribute to a lively, economically sustainable downtown core.
- **Economic Development Element Goal ED-1:** Support a thriving and diverse business community. The amendments reflect input from the EDC and are intended to preserve flexibility while reducing long-term commercial vacancies and encouraging business occupancy in the downtown area.
- **Implementation Program LU-4.A:** Periodically review and update the Zoning Ordinance to ensure consistency with the General Plan. This effort directly implements this program by updating zoning regulations to reflect current economic and land use priorities while maintaining alignment with the General Plan framework.

The proposed ordinance amendments further the Town's commitment to thoughtful planning and economic resilience and are consistent with the overarching vision and policies of the San Anselmo General Plan.

CEQA AND CLIMATE ACTION PLAN CONFORMANCE

California Environmental Quality Act (CEQA)

The proposed zoning ordinance amendments are exempt from environmental review under CEQA pursuant to the following exemptions:

- CEQA Guidelines Section 15061(b)(3). *Common Sense Exemption*: It can be seen with certainty that the ordinance amendments will not have a significant effect on the

environment, as they do not authorize physical development or changes in land use that would result in environmental impacts.

- CEQA Guidelines Section 15301. *Existing Facilities*: The amendments involve minor alterations to the regulation of existing commercial uses, with negligible or no expansion of use beyond that already in existence.
- CEQA Guidelines Section 15303. *New Construction or Conversion of Small Structures*: The ordinance amendments allow for limited flexibility in commercial uses and are not expected to increase development intensity or change the rate at which development occurs. Therefore, it can be seen with certainty that the amendments will not result in significant environmental effects.

Climate Action Plan Conformance

The proposed amendments are consistent with the Town of San Anselmo's adopted Climate Action Plan. The updates support infill development and reuse of existing commercial spaces, reduce long-term vacancies, and promote a walkable, mixed-use downtown. These actions align with the Town's climate goals by minimizing vehicle trips, supporting local economic resilience, and encouraging efficient land use patterns.

Attachments

Attachment 1 – Resolution
Attachment 2 – Draft Ordinance- Redline Version
Attachment 3 – Conditional Use Permit and Nonconforming Use Legal Summary Memo prepared by Assistant Town Attorney Emily Longfellow, dated March 24, 2025.