





# Town of Tiburon

## STAFF REPORT

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### ANALYSIS:

#### Zoning

The project site is in the RPD zoning district, and is located within the Owlswood West Precise Plan Area. In this development area, there are specific building envelopes defined for each lot. Generally, main buildings must be located within the defined building envelopes. However, landscaping features and accessory buildings can be located outside the building envelope. According to the submitted plan, the proposed ground mounted solar panels would be located outside the building envelope. The solar panels would be considered an accessory structure and therefore, the project appears to be in conformance with the development regulations of the Owlswood West Precise Plan.

#### Design issues

The ground mounted panels would be essentially on-grade, with a maximum height of 24 inches. The slope of the property of the rear yard would create an ideal angle for the panels. The roof mounted solar panels would be mounted flush to the roof at the rear of the building.

The Design Review Board has consistently expressed their desire to review all applications for ground mounted solar panels because of their potential to be visually obtrusive to properties in the vicinity and to the general public when viewed from a distance. The proposed location for the ground mounted solar panels would not be visible from most properties in the immediate vicinity, but the panels would be visible from properties a little further away; e.g. the properties at the end of Via Paraiso East and the undeveloped residentially zoned properties at the end of Stony Hill Road. The panels in their proposed location would also be partially visible from the intersection of Tiburon Boulevard and San Rafael Avenue. The Board may want to consider possible project alternatives to make the solar panels less visible such as the installation of vegetative screening around the perimeter of the panels, or locating the panels closer to or incorporating the panels with the existing structures on the site.

#### Public Comment

To this date, no public comment has been received regarding this project.

### RECOMMENDATION:

It is recommended that the Board review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles for Design Review) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board finds that the design of the project is consistent with the Guiding Principles for Site Plan and Architectural Review, and that the ground mounted solar panels would not result in a significant view impact, then it is recommended that the project be approved with the attached Conditions of Approval.

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### EXHIBITS:

1. Conditions of Approval
2. Application and supplemental materials dated January 30, 2004.
3. Plans for the project

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### EXHIBIT 1

#### CONDITIONS OF APPROVAL 3 Owlswood Road FILE #704010

1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. The development of this project shall conform to the application and plans dated by the Town of Tiburon on February 11, 2004, or as amended by these conditions of approval. Any modifications to the plans must be reviewed and approved by the Design Review Board.
3. Plans submitted to the Building Department for plan check shall be identical to those approved by the Design Review Board. If any changes are made to the approved Design Review plans, the permit holder is responsible for clearly identifying all such changes when submitted to the Building Department for plan check. Such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted plans. A list describing in detail all such changes shall be submitted and attached to the building plans, with a signature block to be signed by the Design Review Staff member indicating that these changes have been reviewed and are approved, or require additional Design Review. All changes that have not been explicitly approved by Staff as part of the Building Plan Check process are not approved. Construction that does not have Design Review approval is not valid and shall be subject to stop work orders and may require removal.