

ACTION MINUTES

Town of Tiburon Planning Commission Regular Meeting – October 08, 2003

CALL TO ORDER AND ROLL CALL **7:35 PM**

Commissioner Greenberg, Commissioner Snow, Commissioner Smith

1. **Commissioner Snow elected Chairman; Commissioner Greenberg elected Vice-Chairman**

ORAL COMMUNICATIONS

COMMISSION AND STAFF BRIEFING

Staff Update
Commission Information Items

CONSENT CALENDAR

2. Approval of Planning Commission Minutes-----August 13, 2003 Regular Meeting **Approved as Corrected 2-0-1 (Smith abstained)**
3. Approval of Planning Commission Minutes-----August 27, 2003 Regular Meeting **Approved 1-0-2 (Smith and Greenberg abstained)**

DISCUSSION ITEMS

4. PROCEDURES FOR CONFLICT OF INTEREST RECUSALS AND IMPARTIALITY ABSTENSIONS **Received and Discussed**
5. UPDATE ON MAJOR DEVELOPMENT APPLICATIONS **Received and Discussed**

ADJOURNMENT **8:15 PM**

**Minutes No. 885
Planning Commission
October 8, 2003
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

CALL TO ORDER AND ROLL CALL

Vice-Chair Snow called the meeting to order at 7:30 p.m.

Present: Chair Smith, Vice-Chair Snow and Commissioner Greenberg

Absent: Commissioners Collins and Stein

Staff: Community Development Director Anderson and Meeting Recorder Flanagan

1. Election of Chairman and Vice Chairman

Commissioner Greenberg nominated Wayne Snow as Chairman. Chair Smith seconded the nomination, and Wayne Snow was elected unanimously.

Chair Snow nominated Randy Greenberg as Vice Chairman. Commissioner Smith seconded the motion, and Randy Greenberg was elected unanimously.

ORAL COMMUNICATIONS

There were none.

COMMISSION AND STAFF BRIEFING

Community Development Director Anderson noted the CEQA Workshop would be held November 12 at 5:00 p.m.

CONSENT CALENDAR

2. Approval of Planning Commission Minutes – August 13, 2003 Regular Meeting

Changes include:

Page 11, 11th paragraph, delete the last two sentences, and insert, “This language should be where developers can find it—in the Land Use Element.”

Page 12, 2nd paragraph, 3rd line, change “language” to “use.”

M/S, Greenberg/Snow (passed 2-0-1, Smith abstaining) to approve the minutes as amended.

3. Approval of Planning Commission Minutes – August 27, 2003 Regular Meeting

Changes include:

Page 1, after the description of Item 1, insert, “Chair Smith and Commissioner Greenberg recused themselves from this item.”

Page 2, 6th paragraph, 1st line, change “Jon” to “John.” 5th line, delete “[see attached notes].”

M/S, Greenberg/Snow (passed 1-0-2, Greenberg and Smith abstaining) to approve the minutes as amended.

DISCUSSION ITEMS

4. PROCEDURES FOR CONFLICT OF INTEREST RECUSALS AND IMPARTIALITY ABSTENTIONS

Community Development Director Anderson reviewed the Staff report.

Commissioner Smith asked if, as counsel for the Sanitary District sewer project, he should recuse himself on the Tiburon Glen project.

Community Development Director Anderson recommended he contact the Town Attorney for confirmation as to whether this constituted a financial conflict of interest.

Commissioner Greenberg asked why the 500-foot distance is automatically a conflict if a Commissioner is not affected by the project, and noted this regulation is not addressed in the FPPC brochure. She requested that the regulations specifying the 500 foot radius be provided to the Commission.

Community Development Director Anderson stated the 500 feet standard is based upon a presumptive conflict, and added that the 500 feet is measured from property line to property line. He would provide the regulation discussing the 500 foot distance to the Commission.

5. UPDATE ON MAJOR DEVELOPMENT APPLICATIONS

Community Development Director Anderson reviewed the Staff report.

The public comment period was opened.

Scott Hochstrasser, consultant for four out of the ten projects, noted the last paragraph on Page 4 of the staff report presents a Catch 22 for applicants, and he recommended that the Commission be provided with all of the Countywide Plan policies that deal with the annexation issue. He added that there are new annexation requests to the sewer district for the Teaberry Lane area.

There being no further comment, the public comment period was closed.

Commissioner Greenberg asked that the orange netting be removed from the Trestle Glen projects. She also asked about the proposal under discussion at Sanitary District No. 5 to pump sewage up from Paradise Drive over the Tiburon Ridge, and how power failures could affect the system.

Community Development Director Anderson responded that he very recently sent a letter requesting that the poles and netting be removed. As to the issue of pumping sewage over the Tiburon Ridge, Anderson stated that individual homes, which operate ejector pumps and sometimes have no backup power, can cause problems during power failures. He stated that any large-scale system, such as that being discussed by Sanitary District No. 5, would have back-up power generators such that power failures would not be a problem.

Commissioner Greenberg asked that, on the new Housing Element, Staff provide comments on the existing Housing Element to describe reasons that items are modified or removed.

Community Development Director Anderson noted that the Housing Element was a total re-write, but that Staff would attempt to provide comparisons between the documents where possible. He added that the draft Housing Element had been reviewed by the Planning Commission and Town Council, and will next be seen by the Commission at the public hearings on the entire General Plan update and its EIR.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:10 p.m.

WAYNE SNOW, CHAIRMAN
TIBURON PLANNING COMMISSION

ATTEST:

SCOTT ANDERSON, SECRETARY