



**TOWN OF TIBURON
PLANNING COMMISSION
1505 Tiburon Boulevard
Tiburon, CA 94920
Action and Approved Minutes
January 26, 2005 – 7:30 PM**

ACTION MINUTES

CALL TO ORDER AND ROLL CALL 7:30 PM

Chairman Collins, Vice Chairman Kunzweiler, Commissioner Fraser, Commissioner Hermann, Commissioner Snow **All Present**

ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on any subject not on the agenda may do so under this portion of the agenda. Please note that the Planning Commission is not able to undertake extended discussion, or take action on, items that do not appear on this agenda. Matters requiring action will be referred to Town Staff for consideration and/or placed on a future Planning Commission agenda. Please limit your comments to no more than three (3) minutes. **There Were None**

COMMISSION AND STAFF BRIEFING

Staff Update
Commission Information Items

PUBLIC HEARING

1. CONDITIONAL USE PERMIT #10403: REQUEST TO INCREASE THE DURATION OF SEASONAL USE FOR A RESTAURANT AWNING STRUCTURE; 5 MAIN STREET (GUAYMAS RSTAURANT); Abrams & Zelinsky, Owners; Spectrum Restaurant Group, Applicant; Assessor's Parcel No. 059-151-41 **Continued to February 9, 2005 Without Discussion at Applicant's Request 5-0**
2. FILE #30403 CONSIDER RECOMMENDATION TO THE TOWN COUNCIL REGARDING A PRECISE DEVELOPMENT PLAN (PD#22) TO CREATE FOUR BUILDING SITES ON A 26.03 ACRE PARCEL; REVIEW OF ADDENDUM TO CERTIFIED EIR; 3700 BLOCK OF PARADISE DRIVE NEAR NORMAN WAY; Xanadu Property Holdings, Inc., Owners; Assessor's Parcel No. 39-241-01 (Applicant has filed request for a Continuance) **Continued to a Date Uncertain at Applicant's Request 4-0-1**

MINUTES

3. Planning Commission Minutes of January 12, 2005 **Approved as Amended 4-0-1**

TRAINING

Sections 4 & 5 of the Planning Commissioners Handbook **Discussion Held**

ADJOURNMENT **At 8:30 PM**

Future Agenda Items

1600 Mar West – Tiburon Peninsula Club – February 9, 2005

1655 Mar West Street – Tentative Map – February 23, 2005

761 Hilary Drive – St. Hilary Church – CUP Review – March 9, 2005

a012605

**MINUTES NO. 904
PLANNING COMMISSION
January 26, 2005
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

CALL TO ORDER AND ROLL CALL

Present: Chairman Collins, Vice-Chairman Kunzweiler, Commissioners Fraser, Hermann & Snow

Absent: None

Staff Present: Community Development Director Anderson, Planning Manager Watrous, and Meeting Recorder Creekmore

ORAL COMMUNICATIONS

There were none.

COMMISSION AND STAFF BRIEFING

There was none.

PUBLIC HEARING

1. **CONDITIONAL USE PERMIT #10403: REQUEST TO INCREASE THE DURATION OF SEASONAL USE FOR A RESTAURANT AWNING STRUCTURE; 5 MAIN STREET (GUAYMAS RESTAURANT); Abrams & Zelinsky, Owners; Spectrum Restaurant Group, Applicant; Assessor's Parcel No. 059-151-41**

Planning Manager Watrous informed the Commission that he had received a telephone message from the new manager at Guaymas Restaurant indicating that they do not need the additional hours that were requested in the time extension and that they would like to remove the item from the calendar. He anticipates that Guaymas Restaurant will request to withdraw the item, but recommends that the item be moved to the February 9th meeting until further notice or a letter of withdrawal is received from the applicant.

M/S, Hermann/Fraser (passed 5-0) to continue the item to the February 9th, 2005 meeting.

- 2. FILE #30403 CONSIDER RECOMMENDATION TO THE TOWN COUNCIL REGARDING A PRECISE DEVELOPMENT PLAN (PD#22) TO CREATE FOUR BUILDING SITES ON A 26.03 ACRE PARCEL; REVIEW OF ADDENDUM TO CERTIFIED EIR; 3700 BLOCK OF PARADISE DRIVE NEAR NORMAN WAY; Xanadu Property Holdings, Inc., Owners; Assessor's Parcel No. 39-241-01 (Applicant has filed request for a Continuance)**

Vice-Chairman Kunzweiler recused himself from this item due to a conflict of interest. Community Development Director Anderson informed the Commission that the applicant filed a request for continuance to enable them to conduct a workshop and meet with neighbors. He recommended that the item be continued to a date uncertain. In response to a question from Commissioner Hermann, he stated that a 180-day permit streamlining period does not apply to this project at this time because the CEQA document has not yet been adopted.

M/S, Snow/Hermann (passed 4-0) to continue the item to a date uncertain, to be re-noticed.

MINUTES

- 3. Approval of Planning Commission Minutes – January 12, 2005**

Amend the following:

Page 2, 2nd paragraph, 1st line to state, "...will be traversing and that there should be a barrier or fence between the property and the driveway leading to the Corinthian Yacht Club parking lot for safety purposes and a gate installed for access to the trash enclosure. Mr. Caceres responded that there would be a fence installed with a gate".

M/S, Hermann/Fraser (passed 5-0) to approve the minutes as amended.

TRAINING

Sections 4 & 5 of the Planning Commissioners Handbook

Community Development Director Anderson commented on Section 4 of the *Planning Commissioners Handbook* and noted that a few sections are out-of-date due to recent state law changes, in particular those pertaining to density bonuses and solar energy systems. He stated that the rest of the document appeared to be accurate and up-to-date and that it is a fairly good overview

of the planning process. He added that the zoning and subdivision sections are particularly well-written.

Commissioner Hermann referenced page 40 of the handbook and asked what measures that Town has taken to ensure adherence to the General Plan guidelines. Community Development Director Anderson replied that the Town used both the book written by Daniel Curtin and the General Plan Guidelines issued by the State of California when updating the general plan. He said that all of the issues outlined in the handbook have been covered in the process of updating the Tiburon General Plan.

Planning Manager Watrous noted that other cities have run into problems when their general plan is not up-to-date or contains inconsistencies, but that Tiburon has not experienced such problems. He assured the Commissioners that the Town has put a good amount of effort into comprehensively updating its general plan.

Community Development Director Anderson stated that the Tiburon General Plan has been a stable document that has contributed to stability with the community. He noted that only 12 general plan amendments have been adopted since 1989, 6 of which were initiated by the Town.

In response to a question by Commissioner Snow regarding majority vote, Community Development Director Anderson informed the Commission that there are only a select few items that need majority vote by the Planning Commission to move forward, such as amendments to the general plan and zoning ordinance.

In response to a question about the Permit Streamlining Act, Planning Manager Watrous replied that the Town can request new information once an application has been deemed to be complete but that the applicant is not bound to submit it. Community Development Director Anderson added that the Town has methods of acquiring additional information that can be used if necessary.

Commissioner Hermann said that it would be beneficial to hold public information sessions aimed at educating citizens about the general plan process. Community Development Director Anderson replied that the Town held three public workshops at the beginning of the general plan update process, all of which were fairly well attended by the public.

Community Development Director Anderson stated that review of Section 5 of the handbook, Housing Law and Policies, was not very timely due to the fact that the Town's draft Housing Element has been preliminarily accepted by the State of California. He added that the Town's Housing Element is the most comprehensive of all the elements and comprises more than one third of the entire general plan.

In response to Chair Collin's request for clarification of how the affordable housing selection process works, Community Development Director Anderson replied that where there are units that the Town is involved in some way, such as with funding, there is the ability to place preferences on who gets first choice on the affordable unit. In the absence of preferences, he said that an un-weighted lottery system is used provided the participants have met eligibility requirements.

In response to a comment made by Commissioner Collins about common misconceptions about affordable housing, Planning Manager Watrous stated that senior housing is generally met with much less political opposition than other types of affordable housing. Community Development Director Anderson added that the state frowns upon communities that produce only one type of housing, and encourages projects that meet a broad range of housing needs, including large families.

Commissioner Hermann asked how Tiburon's acceptance of low-income housing could be characterized. Planning Manager Watrous replied that no projects have come before the Town recently for any debate to surface. He stated that the last affordable housing projects were Chandler's Gate and Cecilia Place, both of which were senior housing. Community Development Director Anderson added that the Hilarita complex was the Town's first affordable housing project, and that it was met with a good deal of opposition. He commented that the Town, during the prior Housing Element cycle, built all of the sites that it owned with projects containing affordable housing units, and now will rely on private land owners to construct affordable housing projects on their land. Incentives, such as subsidies and increased densities, are the main tools that the Town can use to encourage private land owners to build affordable housing. He added that the Town has been active in discussions with private land owners, such as the owners of the Cove Shopping Center and other developers, and that contact is made with affordable housing providers on a regular basis.

Commissioner Collins expressed concern over the availability of affordable housing for public safety employees, teachers, and the like. Planning Manager Watrous replied that he is aware of the problem and that the Town does give preference for its affordable housing units at the Tiburon Marsh complex to Town employees, public safety employees, and employees of other local agencies such as the school district.

Commissioner Hermann asked if there is an opportunity to increase density and mixed-use in the downtown area. Community Development Director Anderson replied that the draft Housing Element identifies the Downtown as the location for most new affordable housing, usually as part of mixed use developments.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

RICHARD COLLINS, CHAIRMAN
Tiburon Planning Commission

ATTEST:

DANIEL M. WATROUS, SECRETARY