



**TOWN OF TIBURON  
PLANNING COMMISSION  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
Action Minutes  
February 28, 2005 – 7:00 PM**

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**ASSISTANCE FOR PEOPLE WITH DISABILITIES**

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**AVAILABILITY OF INFORMATION**

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**PUBLIC HEARINGS**

Public Hearings provide the general public and interested parties an opportunity to provide testimony on agenda items. If you challenge any proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

**TIMING OF ITEMS ON AGENDA**

While the Planning Commission attempts to hear all items in order as stated on the agenda, it reserves the right to take items out of order. No set times are assigned to items appearing on the Planning Commission agenda.

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**AGENDA**

**CALL TO ORDER AND ROLL CALL    7:10 PM**

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

**PUBLIC HEARING**

1. GENERAL PLAN UPDATE: *TIBURON 2020* PUBLIC REVIEW DRAFT; Take Public Comment for a Report to the Town Council Regarding the Public Review Draft of the General Plan, Tiburon 2020    **Public Testimony Received**

**ADJOURNMENT    9:25 PM**

**MINUTES NO. 906  
PLANNING COMMISSION  
February 28, 2005  
Special Meeting  
Town Council Chambers  
1505 Tiburon Boulevard, Tiburon, California**

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**CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 7:10 p.m.

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

Absent: None

Staff Present: Community Development Director Anderson & Advance  
Planner Bryant

**ORAL COMMUNICATIONS**

There were none.

**PUBLIC HEARING**

**GENERAL PLAN UPDATE: TIBURON 2020 PUBLIC REVIEW DRAFT**

Advance Planner Bryant presented the staff report, providing a summary of the General Plan update process, and using a Power Point presentation, gave the Commission a detailed review of the major policy questions upon which the Town Council had previously provided direction.

Chair Collins opened the item to public comment at 7:55 p.m.

Steve Sears, owner of Sam's Anchor Café, voiced concerns about the waterfront promenade program (Program DT-j). He pointed out the physical difficulties of completing the promenade without causing severe financial hardship on his business and probably others as well. He suggested removing the program or modifying it to include a provision that there would be "no negative financial impact on any business that faced the water".

Jim Wheary, owner of the property on which Sam's Anchor Café is located, noted that Sam's is the oldest and most historically successful business in Town. He has no intention of making major changes to the property at this time, but if disaster strikes, changes might be required as part of any re-building. He

echoed Mr. Sears' comments about the program as written and said that he believed that the program could not be effectively implemented because of physical difficulties of connecting a walkway through the affected area.

Mr. Wheary presented two display boards showing the layout of properties along Main Street and specifically of his property. He said that extending the waterfront promenade across his property would be both impractical and financially detrimental.

Chairman Collins asked about the boat berths in front of Sam's and whether they could be maintained in the event a promenade was constructed. Mr. Wheary said he thought it would not be possible.

Commissioner Hermann asked if economic viability could be improved by construction of the promenade, would Mr. Wheary still object.

Mr. Wheary responded that he did not see how it could be improved through construction of the promenade, especially given other regulations preventing new construction over water.

Commissioner Fraser suggested that the policy could be removed but the concept kept in mind for the future. He felt that the promenade did not appear practical or to make common sense under the circumstances. He asked staff about the ramifications of deleting the program. Bryant responded that without a general plan policy or program, it would be difficult for the Town ever to complete a waterfront promenade.

Vice-Chairman Kunzweiler thought the promenade would siphon off pedestrians from other businesses as well as Sam's.

Randy Greenberg, Norman Way, said she supported the completion of the waterfront promenade and that such improvements are very popular wherever they exist. She did not believe that people would come to Tiburon only to walk on the promenade and not also patronize the businesses.

Karen Nygren, Paseo Mirasol, referred the Commission to her letter, which she described at some length. She wanted volumes shown for local neighborhood streets as being lower than 2000 trips per day. She suggested describing local streets as carrying 0-2000 trips as a compromise. She said that prior Goal C-C had been deleted and should be restored.

Commissioners questioned whether the street volume change would be material, or would simply add verbiage.

Nygren also wanted parking and safety concerns added to the Circulation Element. She recommended that Policy OSC-33 be strengthened, and that OSC-36 also be strengthened.

The Commission indicated that her letter provided sufficient detail for them to consider the suggestions between this meeting and the meeting scheduled for March 1<sup>st</sup>.

Joanna Kemper praised the Town staff for the good work and noted that she would be submitting a comment letter shortly. She asked about the future process, which Bryant described in response.

Commissioner Hermann asked her if she believed that the Town had backed off extending the Tiburon Ridgeline [across the Martha Company property]; and if so, why? She responded that she believed that the Town had backed off and that potential litigation was probably the reason.

Betsy Little, Owlswood Road, made several comments about various slope limitations found in the land use, open space and safety elements. She questioned whether they were consistent. She wanted a section added in the earthquake discussion of the safety element indicating that landslides and mudslides could be triggered by earthquakes. She wanted the Town to require private property owners to recognize their responsibility to repair unstable soils areas. She was concerned about liability and property damage and culpability, since landslide damage is generally not covered by insurance. She suggested that Policy SE-7 be changed to 30% from 40% if landslides are present.

Karen Nygren added that p. 2-4, Table 2.2-2, should add landslides as a criterion to the list, and that landslide presence should also be added to the discussion of each PD-R property paragraph in the land use element.

The public hearing was closed at 9:20 p.m.

The Commission determined that it would provide its comments at the conclusion of the public hearing scheduled for March 1<sup>st</sup>.

### **ADJOURNMENT**

The meeting was adjourned at 9:25 p.m.

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RICHARD COLLINS, CHAIRMAN

ATTEST:

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SCOTT ANDERSON, SECRETARY