



**TOWN OF TIBURON
PLANNING COMMISSION**
1505 Tiburon Boulevard
Tiburon, CA 94920
Action and Approved Minutes
March 1, 2005 – 7:00 PM

ACTION MINUTES

CALL TO ORDER AND ROLL CALL At 7:02 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 **Testimony Taken;**
Comments Provided to Staff

ADJOURNMENT At 9:35 PM To Thursday, March 10, 2005 at 7:00 PM

**MINUTES NO. 907
PLANNING COMMISSION
March 1, 2005
Special Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:02 p.m.

Present: Chairman 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

Chairman Collins announced that this was a continuation of the public hearing on the Draft Tiburon General Plan, and opened the item to public comment.

Paul Grothe, owner of 1610 Tiburon Boulevard, expressed concern and opposition to Downtown Element policies that encourage parking lots to be located behind buildings. He believes that visible parking is important. If buildings are required to be pulled closer to the sidewalk, as suggested in the Plan, there will be no room for parking in front. This would be bad for tourism and patronage of businesses, he said.

Vice-Chairman Kunzweiler asked if there was very good signage and a larger central parking lot, would that be an acceptable alternative. Mr. Grothe responded that it is better if people can park right in front of a business. Many people don't read signs. He believed that more housing Downtown was a good idea, and that no fast food outlets should be allowed. He stated that parking is a problem on week-ends and that hiding parking lots behind buildings is not the answer.

Commissioner Snow asked if Mr. Grothe was mostly concerned about tourists or local residents. Mr. Grothe responded that Downtown is not a great shopping area for locals, and that it survives on tourism. The Downtown should be more user-friendly.

Evelyn Woo, Cecilia Way, wanted the one-story character of the Bel Aire neighborhood to be preserved. She wanted stronger language in the Plan to that effect. She believed that in Bel Aire Estates, the rear yard is an extension of the living area, and second story additions affect views and privacy in negative ways.

Commissioner Hermann asked her if the Town's existing provisions with respect to single story neighborhoods were sufficient. Ms. Woo said the language is not strong enough to prevent two-story additions in Bel Aire. It is better for the Town to approve variances for people to expand outward rather than allow them to go upward.

Ed McAuley, Claire Way, stated that Bel Aire Estates has a "standard" for expansion that keeps the roof profile the same. One recent second story addition deviates from this standard. He is concerned that more people will want to do this, and it will result in overly large homes that look down on the back yards of others and will ruin the privacy of the neighborhood. It would result in loss of light into yards, and loss of sky and ridgeline views, as well as being intrusive. He stated that lot sizes in Bel Aire are less than 10,000 square feet, and opposes large footprints in a small area. He wants the Zoning Ordinance to reduce the minimum lot size to 7,500 square feet for the Bel Aire area, and prevent any variance findings that refer to zones or lots with larger minimum lot sizes than that.

George Landau, Sugarloaf Drive, stated that he thought the Town's various ordinances dealing with noise should be referenced in the general plan. He also spoke about a dangerous section of Tiburon Boulevard [southeast of Trestle Glen Boulevard] where bicyclists should be discouraged from riding. He asked if there was any way to put up

signs in both directions that would discourage people from riding there. He noted that it is mostly experienced bicycle riders who use it.

He stated that he believed that there was a built-in conflict between views and trees in the Town's regulations, and asked if the general plan could address dangerous trees, undesirable trees, and the view ordinance. He believed that open space was well addressed in the draft plan, and that it is a "must" and should be so described in the plan since it is irreplaceable.

Commissioner Fraser mentioned that the Town has a Bicycle Pedestrian Advisory Committee (BPAC) that addresses issues such as the bicycle safety concern raised by Mr. Landau. He suggested that the BPAC would welcome his comments.

Jim Wheary, downtown property owner, spoke regarding the waterfront promenade issue. He noted that consensus by the Planning Commission has been difficult to reach on this policy. He stated that he believed that the current policy tied the hands of future planners and officials and read aloud his proposed revised wording for the policy [Program DT-j].

Steve Sears, proprietor of Sam's Anchor Café, stated that calling for the "completion" of the waterfront promenade in the Town's General Plan will give BCDC additional leverage to require force the issue when a permit is needed from that agency.

The public hearing was closed at 7:35 p.m.

Vice-Chairman Kunzweiler liked the wording suggested by Mr. Wheary. He stated that the general desire for improved coastal access is a good one, but that the wording does not need to be so specific. The realities of completing the waterfront promenade are daunting, and unintended consequences must be avoided. He thought the policy was worded too strongly and wanted much more flexibility instead.

Commissioner Fraser agreed, saying that the Town should encourage more access to the bay, but not be specific. He emphasized a "strategic" approach rather than a "technical" approach in the phrasing, and recommended that the Planning Commission craft some new wording along those lines.

Commissioner Hermann also liked Mr. Wheary's proposed wording, but expressed concern that the Town Council would simply keep the program "as is" if the wording becomes too weak. He was open to more general wording than currently proposed in the document.

Commissioner Snow liked the staff recommendation contained in the Town Council staff report from May 21, 2003, especially the part about finding a "middle course".

Chairman Collins concurred that it should be a more general policy.

Bryant noted that the waterfront promenade is currently addressed in a program, and that perhaps a policy was more appropriate if the intent is to be more general.

There was Commission consensus to substitute a policy for the current program. The various versions for proposed re-writes were collected by Advance Planner Bryant, who

indicated that staff would return with revised wording at the Commission's next meeting on this topic.

Chairman Collins suggested that the Commission address the letter February 28, 2005, received at the prior meeting from Karen Nygren. Advance Planner Bryant presented staff's recommendations on the several points raised in the letter. The Commissioners then individually provided their comments and suggestions for revisions in response to the letter for synthesis by Advance Planner Bryant.

Commissioners unanimously expressed concern about the proposed wording of Policy OSC-4 regarding permanent protection of open space. They felt the policy "opened the door" for potential exploitation and possible conversion of open space for other uses beyond what might be envisioned at this time. Chairman Collins suggested that, at the very least, any open space converted to another use should be required to be "replaced".

There was a general discussion regarding using more cross-references in the general plan, or possibly including an index. Advance Planner Bryant said he would look into some options, but that all appeared to have shortcomings and would be time intensive.

The Commission began review of the draft general plan with the Land Use Element.

Commissioner Hermann stated he was satisfied with the draft element. Commissioner Fraser noted that a map depicting where remaining development potential was located on the Peninsula would be useful. Staff responded that an update on vacant lands, including a map, would be presented to the Commission at a future meeting.

Commissioner Fraser questioned whether Policy LU-19 was adequate to address the Town's concerns with wireless communication facilities. Commissioner Hermann expressed concern that the Town's policies on wireless communication facilities might be ignoring the realities that such uses will continue to evolve and could soon be found in all households. Staff indicated that the definition of wireless communication facility used by the Town involved structures as well as radio frequency emissions, and would not likely apply to individual household use.

Commissioner Fraser also expressed concern about the lack of a time-frame being specified in program LU-e regarding Paradise Drive annexation. Staff responded that a "prioritization" of program implementation is usually prepared immediately after general plan adoption, and this could establish a time frame.

Commissioner Snow asked about the best way to implement goal LU-H regarding compatibility of construction in neighborhoods. He thought homeowner associations should play a larger role where they are active.

Vice-Chairman Kunzweiler pointed out that the reference to ridgelines in Policy LU-15 was not specific. Bryant responded that he would review all references to ridgelines to ensure that it was clear which type or types of ridgelines [primary, secondary, etc.] were intended to be addressed by each policy. Vice-Chairman Kunzweiler suggested adding a reference to "minimizing visual impacts" with respect to wireless communication facilities in Policy LU-19. He also questioned use of the word "viable" in Policy LU-26, and suggested that

“procedurally and economically viable” might be a more meaningful phrase. He clarified with staff about the “future annexation agreements” mentioned in Policy LU-32.

Chairman Collins indicated that the Commission probably still had 2-3 hours worth of comments on the remaining elements yet to be covered. He suggested picking a follow-up date to continue the comments from the Commission.

After discussion, it was moved, seconded, and approved to adjourn the meeting to March 10, 2005 at 7:00 p.m., with the understanding that if that date did not work for Commissioners, a special meeting would need to be called.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m. to an adjourned meeting to be held on March 10, 2005 at 7:00 p.m. at Tiburon Town Hall.

RICHARD COLLINS, CHAIRMAN

ATTEST:

SCOTT ANDERSON, SECRETARY