

RECORDING REQUESTED  
RETURN TO:  
Tiburon Planning Dept.  
1505 Tiburon Boulevard  
Tiburon, CA 94920

**RESOLUTION NO. 2004-(DRAFT)**

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE TOWN OF TIBURON APPROVING A CONDITIONAL USE  
PERMIT FOR A CONDOMINIUM CONVERSION AT 41 MAIN STREET  
(MARIN COUNTY ASSESSOR PARCEL NO. 059-151-04)

WHEREAS, the Planning Commission of the Town of Tiburon does resolve as follows:

Section 1. Findings.

- A. The Town has received an application from Ron Caceres requesting a Conditional Use Permit for a condominium conversion at 41 Main Street. Said application consists of the following:
  - 1. Application form received November 1, 2004.
  - 2. Site Plan received November 1, 2004.
- B. The Planning Commission has held a duly-noticed public hearing on December 8, 2004, and has heard and considered testimony from interested persons.
- C. The Planning Commission has found that the project is exempt from the requirements of the California Environmental Quality Act per Section 15301 of the CEQA Guidelines.
- D. The Planning Commission has found, based upon the application materials and analysis provided in the December 8, 2004 Staff Report, that the project, as conditioned, is consistent with the Tiburon General Plan and is in compliance with the Tiburon Zoning Ordinance and other applicable regulations. The Town finds that the retail and residential uses are consistent with the Village Commercial land use designation contained in the Land Use Element, as such uses are not generally considered to be "tourist-oriented" uses that are discouraged in the downtown area.
- E. The Planning Commission has made affirmative findings consistent with the standards required in Section 4.06.03 of the Tiburon Zoning Ordinance, on the basis of analysis set forth in the Staff Report dated December 8, 2004.

Section 2. Approval.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the Town of Tiburon does hereby approve the Conditional Use Permit for condominium conversion at 41 Main Street subject to the following conditions:

1. A Tentative Subdivision Map and subsequent Parcel Map for the land division implementing the condominium conversion shall be approved by the Town.
2. Covenants, Conditions, and Restrictions consistent with Section 4.06.05 of the Tiburon Zoning Ordinance shall be approved by the Town Attorney and recorded in conjunction with the Parcel Map.
3. All requirements of the Town Engineer shall be complied with prior to recordation of the Parcel Map.
4. All requirements of the Tiburon Fire Protection District shall be complied with prior to recordation of the Parcel Map.
5. All code deficiencies identified by the Building Official shall be corrected to the satisfaction of the Building Official prior to recordation of the Parcel Map.
6. This Conditional Use Permit shall expire and become null and void one year from approval unless a Tentative Subdivision Map has been approved by the Town.
7. The Town of Tiburon reserves the right to amend or revoke this Conditional Use Permit for cause, in accordance with adopted regulations of the Town.

PASSED AND ADOPTED at a regular meeting of the Planning Commission on December 8, 2004, by the following vote:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

RECUSED: COMMISSIONERS

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RICHARD COLLINS, CHAIR  
TIBURON PLANNING COMMISSION

ATTEST:

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DANIEL WATROUS, SECRETARY  
TIBURON PLANNING COMMISSION

