

**RESOLUTION NO. 2005-01 (DRAFT)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF TIBURON  
APPROVING A TENTATIVE SUBDIVISION MAP FOR A 4-LOT  
CONDOMINIUMIZATION OF AN EXISTING MIXED-USE  
BUILDING LOCATED AT 41 MAIN STREET  
ASSESSOR PARCEL NO. 059-151-04**

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

Section 1. Findings.

- A. An application for a Tentative Map to subdivide an existing commercial/residential building into four condominium units has been received from the Doris Caceres Trust. The subject property is located at 41 Main Street in Downtown Tiburon. The application consists of the following:
  - 1. Application Form received November 1, 2004
  - 2. Tentative Map drawings (5 sheets), dated January 2003, prepared by KCA Engineers, Inc.
- B. The Planning Division and the Deputy Town Engineer have reviewed the project in accordance with applicable regulations and have recommended conditional approval of the application to the Planning Commission, as set forth in the Staff Report dated January 12, 2005.
- C. The Planning Commission finds that the project is exempt from CEQA pursuant to Section 15315 of the CEQA Guidelines.
- D. The Planning Commission held a duly-noticed public hearing on January 12, 2005 and has heard and considered testimony from interested persons.
- E. The Planning Commission finds that the application, as conditioned, is consistent with the goals and policies of the Tiburon General Plan. The Commission further finds that the project is consistent with the provisions of Chapter 14 of the Tiburon Municipal Code regulating the subdivision of land, and specifically makes the findings required under Section 14-3.6 of the Municipal Code.

Section 2. Approval.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the Town of Tiburon does hereby approve the Tentative Map for 41 Main Street (File #60404) subject to the following conditions:

1. All requirements of the Town Engineer shall be met prior to the approval of the Parcel Map.
2. The public access easement as required by Condition #7 of Planning Commission Resolution 2001-16, and Bay Conservation & Development Commission (BCDC) Permit No. M02-17 shall be offered for dedication to the public on the face of the Parcel Map. Actual dedication by separate instrument may be required pursuant to BCDC conditions of approval.
3. Final Covenants, Conditions & Restrictions for the condominium subdivision shall be reviewed and accepted as satisfactory by the Town Attorney and the Director of Community Development prior to approval of the Parcel Map, and shall be recorded in conjunction with the Parcel Map.
4. This Tentative Map approval shall be valid for three (3) years and shall expire and become null and void unless a Parcel Map is approved and recorded, or unless a time extension is granted.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the Town of Tiburon on \_\_\_\_\_, 2005, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

\_\_\_\_\_  
RICHARD COLLINS, CHAIRMAN  
TIBURON PLANNING COMMISSION

ATTEST:

\_\_\_\_\_  
SCOTT ANDERSON, SECRETARY

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