

RESOLUTION NO. 2006-DRAFT

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF TIBURON
APPROVING A LARGE FAMILY DAY CARE HOME CONDITIONAL USE PERMIT
FOR A RESIDENCE LOCATED AT 642 TIBURON BOULEVARD
ASSESSOR PARCEL NO. 55-171-25**

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

Section 1. Findings.

- A. The Town of Tiburon has received an application from Lars Bergholdt and Lara Bissierier requesting permission to operate a large family day care home serving up to 12 children at 642 Tiburon Boulevard.
- B. Pursuant to provided notification, two letters from affected parties requesting a hearing on the application were received by the Town.
- C. The Planning Commission held a duly noticed public hearing on April 26, 2006 and has heard and considered any testimony from interested persons.
- D. The Planning Commission has found that the project, as conditioned, is consistent with applicable regulations.
- E. The Planning Commission has found that the project is not subject to the requirements of CEQA pursuant to state law.

Section 2. Approval.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the Town of Tiburon hereby approves the Conditional Use Permit application (File #10601) subject to the following conditions:

- 1. This conditional use permit approves a Large Family Dare Care Home serving up to eleven (11) children at any one time on property at 642 Tiburon Boulevard. At least two (2) of those children must permanently reside at the subject property.
- 2. The use must obtain and maintain all required state licenses so long as operation persists, and must comply with those permit and license requirements at all times.
- 3. Fencing around any outside areas used for day care shall comply with construction methodology and material type and density as reasonably determined and approved by to constitute an effective sound barrier for adjoining properties.

4. Uniform Building Code life safety and fire safety requirements applicable to large family care homes (Section 310.15 et seq. as amended of the California Building Code) shall be applied.
5. Limitations on hours of outside use are established as follows:

[to be inserted]
6. Owners shall park at least one and preferably two of their vehicles in the existing garage to ensure adequate parking and maneuvering space for clients on the site.
7. Pick-up and drop-off times for clients shall be staggered such that no more than two clients are anticipated to be on the site at the same time. Vehicles shall exit the property in staggered time frames. In no event shall more than one vehicle leaving the property form a queue along Bayshore Terrace that would impede other vehicles from entering or exiting that street.
8. Day care home clients shall be required to perform a right turn to exit the property during times of heavy or congested traffic along Tiburon Boulevard. A right turn exit onto Tiburon Boulevard shall also be required if another vehicle is queued behind a departing vehicle. Clients shall understand that these are firm rules associated with the privilege of being a client of the day care home. Courtesy shall be extended to all others using Bayshore Terrace.
9. Applicants shall secure an inspection of the premises from the Tiburon Fire Protection District.
10. A formalized parking plan and layout shall be submitted for approval by the Town Engineer, after which approval it shall be promptly implemented. The parking plan shall be for the purpose of optimizing parking areas and allowing on-site turnaround for forward-facing exiting from the property.
11. All clients shall receive a copy of the parking plan and instruction on how to properly comply with the plan.
12. This use permit shall be subject to periodic review in the discretion of the Director of Community Development.
13. This permit shall be subject to modification and/or revocation for cause in accordance with adopted regulations of the Town of Tiburon.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the Town of Tiburon on _____, 2006 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

JOHN KUNZWEILER, CHAIRMAN
TIBURON PLANNING COMMISSION

ATTEST:

SCOTT ANDERSON, SECRETARY

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