

2 LAND USE ELEMENT

The Land Use Element sets the development pattern for the future and provides the framework for decision-makers, developers, and the public in making land use decisions. The Land Use Element sets the maximum level of development density and intensity, provides guidance on site planning and design issues, and addresses future annexation.

2.1 EXISTING LAND USES

The Town of Tiburon is a predominantly built out, low-density residential community. There are three commercial areas in the Tiburon Planning Area: Downtown Tiburon, the Cove Shopping Center, and the area near the U.S. Highway 101/Tiburon Boulevard interchange.

Table 2.1-1 Existing Land Use, Tiburon Planning Area, 2004

Besides residential uses, the other predominant land use in the Planning Area is parks and open space, with large land holdings, such as the 274-acre Ring Mountain Preserve, protected from development. In addition, 726 acres of the 740-acre Angel Island State Park is located within the Town of Tiburon corporate limits. Table 2.1-1 provides a breakdown of existing land uses in the Planning Area. Diagram 2.1-1 shows the distribution of existing land uses.

<i>Land Use</i>	<i>Acres</i>
Residential	1,425
Single-Family Residential	1,280
Two-Family Residential	35
Multi-Family Residential	110
Commercial	60
Public/Quasi-Public	115
Parks & Open Space	910
Angel Island State Park	725
Vacant	430
TOTAL PLANNING AREA	3,665

2.2 LAND USE DESIGNATIONS AND LAND USE DIAGRAM

Together, the Land Use Designations and the Land Use Diagram combine to regulate the amount of development and the type of uses that are allowed on property throughout the Planning Area. Land Use Designations in *Tiburon 2020* are divided into two broad categories: Residential, and Commercial and Other Land Designations.

Land Use Designations for most properties reflect the existing density and land use, as the established density and use of the property is projected to remain largely unchanged through 2020.

Over the next 15 years, however, the *Tiburon 2020* assumes that lands designated as **Planned Development - Residential** and lands with an **Affordable Housing Overlay** will be developed or redeveloped. The Planned Development - Residential designation has been assigned to properties which are likely to be subdivided into individual buildable lots. The Affordable Housing Overlay designation has been assigned to those properties the Town has identified as the most likely to accommodate the Town’s affordable housing need.

The following land use designations and densities and intensities are established:

Residential

Residential land use designations, which are listed in Table 2.2-1 and shown on Diagram 2.2-1, the Land Use Diagram, are primarily reserved for residential uses. Other allowed uses may include, depending on specific zoning district regulations, parks and playgrounds, educational facilities, churches and religious institutions, institutional facilities, group care and day care facilities, civic clubs, and other similar uses.

The **Low Density, Planned Development - Residential, Medium Low Density, Medium Density, and Medium High Density** designations are assigned to single-family neighborhoods. Generally, multi-family residential uses are limited to the **Very High Density** and **Affordable Housing Overlay** designations, and two-family uses generally are limited to the **High** and **Very High Density** designations. Residential densities are measured in the number of dwelling units per acre.

Table 2.2-1 Residential Land Use Designations

LAND USE DESIGNATION	DENSITY	TYPICAL ZONING DISTRICT
L Low Density	Up to 0.5 units per acre	RPD Residential Planned Development
PD-R Planned Development - Residential	Up to 1.0 units per acre	RPD Residential Planned Development
ML Medium Low Density	Up to 1.1 units per acre	RO-1 Residential Open (40,000 Sq. Ft.)

LAND USE DESIGNATION	DENSITY	TYPICAL ZONING DISTRICT
M Medium Density	Up to 3.0 units per acre	RO-2 Residential Open (20,000 Sq. Ft.)
MH Medium High Density	Up to 4.4 units per acre	R-1 Single Family Residential
H High Density	Up to 11.6 units per acre	R-2 Two-Family Residential
VH Very High Density	Up to 12.4 units per acre	R-3 Multi-Family Residential RMP Residential Multiple Planned
VH/AHO Very High Density/ Affordable Housing Overlay	Up to 18.4 units per acre (24.8 with density bonus)	RMP Residential Multiple Planned
NC/AHO Neighborhood Commercial/ Affordable Housing Overlay	Up to 15.3 units per acre (20.7 with density bonus, residential component only)	

Planned Development - Residential designations are reserved for those properties that are generally undeveloped or underdeveloped and have the greatest site challenges for development. Site challenges for these properties range from natural constraints to development, such as steep slopes and the presence of landslide deposits or the likelihood of future slope instability; to the presence of a wide variety of land-based resources that are valued by the community and described in Section 3.3, Prime Open Space Preservation: ridgelines, water and shoreline areas, wetlands, streams and riparian corridors, flood-prone areas, wildlife and wildlife habitat, steep slopes, views, trees and woodlands. Policies addressing these development constraints are found in the Open Space & Conservation Element (Ch. 3) and the Safety Element (Ch.6).

Table 2.2-2 below is intended to provide a quick reference tool for the prime open space characteristics that are described in the Open Space & Conservation Element and are likely to be present on the properties designated Planned Development - Residential. The information is based on environmental assessment documents that have been submitted to the Town and a general review of the sites by the Community Development Department. Identification of a characteristic in this table does not guarantee that the site has the characteristic, and lack of identification does not guarantee that the site lacks the characteristic.

Table 2.2-2 Planned Development Residential – Undeveloped Properties and Prime Open Space Characteristics

Planned Development – Residential Properties (see Diagram 2.2-1)	Prime Open Space Characteristics (see Open Space & Conservation Element)								
	Significant Ridgelines	Water and Shoreline Areas	Wetlands	Streams and Riparian Corridors	Flood-Prone Areas	Special-Status Species/Special Communities	Steep Slopes (> 40%)	Inboard/Outboard Views	Tree Stands
a – Rabin	■					■	■	■	■
b – Tiburon Court			■	■		■	■	■	
c – Trestle Glen Lower	■		■	■			■	■	■
d – Tiburon Glen	■		■	■		■	■	■	■
e – Amerippon	■					■	■	■	
f – Pourian						■	■	■	■
g – Ring Mtn. Parcel G						■		■	
h – Sorokko*	■	■	■	■	■		■	■	■
i – SODA LLC*	■		■	■		■	■	■	■
j – Lerner/Winter*	■					■	■	■	
k – Traeger*		■			■		■	■	■
l – BRC*	■			■		■	■	■	■
m – Keil*	■	■	■		■	■	■	■	■
n – Martha Company*	■		■	■		■	■	■	■
o – Swahn*	■	■		■	■	■	■	■	■
p – Pan Pacific Ocean*	■						■	■	■
q – Oloumi*							■	■	
r – O’Connor*						■	■	■	■
s – Robbins/ Adams*		■			■	■	■	■	■
t – Drever*		■			■	■	■	■	■
u – Ling	■						■	■	

■ – The prime open space characteristic is likely to occur on the property.
 * – Outside of Town of Tiburon corporate limits, but within the Town’s Sphere of Influence, as of September 7, 2005.

Policies relating to the Prime Open Space Characteristics are located in the Open Space & Conservation Element.

This table is not a substitute for thorough site analysis that is required for development review applications.

Maximum densities included in this General Plan are considered by the Town to be achievable only if applicants for development of these properties demonstrate compliance and consistency with policies of the General Plan, including the policies of the Open Space & Conservation and Safety Elements. Historically, few large undeveloped parcels have achieved maximum density due to environmental and site development constraints.

Achievable housing units are also influenced by the type of proposed development. Estate-type development, or large homes on large lots, will make achievement of the maximum number of units more difficult due to the increased development footprint required to accommodate the homes. The increased footprint will likely lead to a development application being inconsistent with General Plan policies in the Open Space & Conservation Element pertaining to preservation of prime open space and the Safety Element.

Smaller homes on smaller lots, which are clustered on small areas of these properties, will reduce the overall development footprint, possibly increasing the likelihood that a development application may approach the maximum density identified in the General Plan while being consistent with the policies of the Open Space & Conservation Element and other elements.

The properties with the Planned Development - Residential designation are described below, along with the maximum allowable density. It must be noted that these are general, broad descriptions of the properties based on a cursory visual review of the site. Project level environmental review will be necessary for any development proposal associated with these properties. Those properties denoted with an asterisk (*) are located within unincorporated Marin County as of September 7, 2005.

PD-R-a (Rabin): This approximately 30 acre site contains a single residence and some ancillary structures. The site has mainly grasslands and a 450-foot peak along the Tiburon Ridge which traverses the property. Significant ridgelines also cross the property. Steeper slopes occur on the San Francisco Bay side of the property as it slopes towards Paradise Drive. The central

placement of the existing home, ridgeline restrictions, and steep slopes makes achievement of the maximum density unlikely.

Maximum allowable density: 0.4 du (dwelling units/acre)

Approximate maximum units: 12

PD-R-b (Tiburon Court): A vesting tentative subdivision map for three units was approved for this 13.4 acre property along Trestle Glen Boulevard in October 2002, the final discretionary approval that is needed from the Town.

Maximum allowable density: 0.3 du/acre

Approximate maximum units: 3

PD-R-c (Trestle Glen Lower): This 14.5 acre property is located along the south side of Trestle Glen Blvd due west of Tiburon Court. The current landscape is comprised of a steep, grass-covered hillside with large areas of dense brush and scattered oak, bay, and pine trees. Hillside slopes range from approximately 5 percent near the bottom of the property to greater than 40 percent near the upper reaches of the property. Elevations range from 40 feet above mean sea level (MSL) along Trestle Glen Boulevard to approximately 300 feet MSL near the top of the ridge. Poor access, steep slopes, a significant ridgeline, and high visibility combine to make achievement of the maximum density unlikely.

Maximum allowable density: 0.3 du/acre

Approximate maximum units: 4

PD-R-d (Tiburon Glen): This 26 acre property is steeply sloped and extends southwest from Paradise Drive with elevations which range from 165 feet to 475 feet. Lower site elevations are covered by dense mixed bay-live oak woodlands, and higher elevations are characterized by serpentine grasslands punctuated by rock outcroppings. The southeast corner of the site is crossed by a stream and several intermittent drainages. A certified EIR from 2003 and an addendum from 2004 concluded that a 4-unit project on this site and various 3-unit alternatives that were analyzed, would result in significant unavoidable environmental impacts.

Maximum allowable density: 0.3 du/acre

Approximate maximum units: 8

PD-R-e (Amerippon): This site is approximately 10.3 acres and slopes down from Ring Mountain, located above the site, towards Paradise Drive with average slopes of 20-30 percent. Existing site vegetation consists of mainly non-native grasses, shrubs, and a

grove of toyon, California bay, and live oak. The property owners are currently in the process of applying for a 4-lot Precise Development Plan approval. An EIR certified in 2004 concluded that a 5-lot project would result in significant unavoidable impacts.

Maximum allowable density: 0.5 du/acre

Approximate maximum units: 5

PD-R-f (Pourian): This approximately 5.6 acre site has poor access, is very steep and wooded, and has limited potential for development.

Maximum allowable density: 0.5 du/acre

Approximate maximum units: 3

PD-R-g (Ring Mountain Parcel G): Approximately 4.8 acres in size, this property is adjacent to the Ring Mountain Open Space Preserve. It consists mainly of grassland with slopes ranging from approximately 20% to 50%. It has an approved Precise Development Plan for one residence.

Maximum allowable density: 0.2 du/acre

Maximum units: 1

PD-R-h (Sorokko)*: Extending from Paradise Drive to San Francisco Bay, this approximately 16.4 acre property is heavily wooded and most of the property is fairly steep. The topography of the existing undeveloped property is characterized by three easterly projecting promontories with intervening swales, and a small portion of relatively flat beachfront area along a portion of San Francisco Bay (Paradise Cove). A development application for 5 lots has been filed with the County of Marin, indicating that the maximum density is unlikely to be achieved with a large lot project.

Maximum allowable density: 0.5 du/acre

Approximate maximum units: 8

PD-R-i (SODA LLC)*: The 20.95-acre property slopes up from Paradise Drive. The property consists mainly of non-native grasslands and coast live oak woodland. Elevations range from 160 to 345 feet. Significant ridgelines cross the property. An application for an 8-lot project has been filed with the County of Marin.

Maximum allowable density: 0.4 du/acre

Approximate maximum units: 8

PD-R-j (Slater)*: Approximately 26.1 acres in size, this property consists of grasslands and shrubs and is very steep. The property is bisected by a significant ridgeline.

Maximum allowable density: 0.4 du/acre

Approximate maximum units: 10

PD-R-k (Traeger)*: This approximately 16-acre site has a single-family residence and some accessory buildings on it. The property extends from Paradise Drive to San Francisco Bay, is heavily wooded, and portions of the site approach slopes of 50%.

Maximum allowable density: 0.5 du/acre

Approximate maximum units: 8

PD-R-l (BRC)*: This property is approximately $\frac{3}{4}$ of a mile in length and consists of approximately 50.2 acres overall. The site is heavily wooded and is extremely steep with most of the site with slopes near 50%.

Maximum allowable density: 0.1 du/acre

Approximate maximum units: 5

PD-R-m (Keil)*: This approximately 30.8 acre site contains some of the most unique features found within the Planning Area, including a very large freshwater pond and a 70-foot rock outcropping near the Bay shore. The property currently contains 3 single-family residences and is subject to a conservation easement held by the Garden Conservancy. The recorded purpose of the easement is to assure that the property will be retained forever as a natural, scenic, historic, and horticultural resource. One additional home could be constructed under the terms of the easement.

Maximum allowable density: 0.13 du/acre

Approximate maximum units: 4

PD-R-n (Martha Company)*: At 110 acres, this is the largest private land holding in the Planning Area. The site consists of steep slopes and flatter ridges covered by dense coast live oak woodlands on lower elevations and grasslands on higher elevations, both punctuated by rock outcroppings. The property also surrounds a 0.5-acre in-holding that is subject to a conservation easement held by the Garden Conservancy. Seven significant ridgelines exist on the property, along with numerous landslide areas. Previous environmental documents prepared for the Town indicate that the maximum density is not likely to be achieved.

Maximum allowable density: 0.4 du/acre

Approximate maximum units: 44

PD-R-o (Swahn)*: Another Bayfront property, this approximately 15 acre site is heavily wooded. The property is steep, particularly near the Bay where slopes exceed 50%.

Maximum allowable density: 0.3 du/acre

Approximate maximum units: 5

PD-R-p (Pan-Pacific Ocean)*: This 17-acre parcel is steeply sloping and is west-facing, consisting mostly of grassland. It is recommended that approximately one acre of the property be designated with an Affordable Housing Overlay (AHO). An application for a 3-lot subdivision has been filed with the County of Marin.

Maximum allowable density (non-AHO): 0.2 du/acre

Approximate maximum units (non-AHO): 3

PD-R-q (Oloumi)*: This property is approximately 6.1 acres and consists mostly of grasslands. The average slope of the property is approximately 33%. It is recommended that approximately $\frac{3}{4}$ of an acre of the property be designated with an Affordable Housing Overlay (AHO).

Maximum allowable density (non-AHO): 0.4 du/acre

Approximate maximum units (non-AHO): 2

PD-R-r (O'Connor)*: This site, which is adjacent to the Ring Mountain Open Space Preserve, contains a single-family residence on approximately 11.7 acres. The landscape includes grassland and rock outcroppings similar to that which is found on Ring Mountain. The property is steeply sloping in places, but has a central level area.

Maximum allowable density: 0.4 du/acre

Approximate maximum units: 4

PD-R-s (Robbins/Adams)*: This approximately 9.1 acre site is located on Paradise Drive just south of Paradise Cay. The property, which currently is developed with two single family homes, slopes gently from Paradise Drive to San Francisco Bay.

Maximum allowable density: 0.5 du/acre

Approximate maximum units: 4

PD-R-t (Drever)*: This site, which is approximately 8.3 acres, is a shoreline parcel located on Paradise Drive, southeast of the

Romberg Center. The steep and partially wooded site has a single-family home that was built in 1989.

Maximum allowable density: 0.5 du/acre

Approximate maximum units: 4

PD-R-u (Ling): This site, which is approximately 5.6 acres, is located at the end of Stony Hill Road, adjacent to the properties on Mantegani Way and Owlswood Road. Vegetation on the site consists primarily of French broom, with small areas of non-native grassland. Most of the variably sloping site is underlain by landslides. The property owners are currently pursuing entitlements for a 5-lot subdivision of the property.

Maximum allowable density: 1.0 du/acre

Approximate maximum units: 5

Commercial and Other Land Use Designations

The designations of most non-residential properties reflect their existing land uses and development intensities. The Town anticipates that the land uses and development intensities of most properties will remain essentially constant through 2020.

In the Downtown, however, there are a number of properties designated as Neighborhood Commercial that the Town anticipates will be redeveloped with new buildings and uses during the planning period.

Table 2.2-3 identifies the maximum allowable development intensity for property designated for non-residential land uses. Development intensity for commercial and other non-residential uses are measured by floor-area-ratio.

Table 2.2-3 Commercial and Other Land Use Designations

LAND USE DESIGNATION	INTENSITY	TYPICAL ZONING DISTRICT
NC Neighborhood Commercial	Up to 0.37 FAR	NC Neighborhood Commercial
NC/AHO Neighborhood Commercial/Affordable Housing	Up to 0.31 FAR (commercial component only)	
VC Village Commercial	Up to 0.28 FAR	VC Village Commercial
SC Shopping Commercial	Up to 0.5 FAR	
O Office	Up to 1.0 FAR	O Office
P Public/Quasi-Public	Up to 1.0 FAR	P Public/Quasi-Public

LAND USE DESIGNATION	INTENSITY	TYPICAL ZONING DISTRICT
Park Parks & Recreation	Up to 0.1 FAR	P Public/Quasi-Public
OS Open Space	Up to 0.1 FAR for existing buildings; No new buildings permitted	OS Open Space

Neighborhood Commercial designations may typically allow, subject to specific zoning regulations, resident-serving commercial uses and offices, and mixed (commercial/residential or office/residential) uses. Tourist-oriented uses are strongly discouraged.

Village Commercial designations may typically allow, subject to specific zoning regulations, resident-serving commercial and office uses, tourist-oriented uses, and mixed (commercial/residential or office/residential) uses.

Shopping Commercial designations may typically allow, subject to specific zoning regulations, general retail and service uses, service stations and auto-related sales and service uses, and office uses.

Office designations are strictly limited to office uses with no retail component.

Public/Quasi-Public designations may typically allow educational facilities, governmental and quasi-public building or facilities; utility facilities and similar facilities owned or operated by public/non-profit agencies.

Parks & Recreation designations may allow development for recreational purposes.

Table 2.2-4 Land Use Distribution

<i>Land Use Category</i>	<i>Total Acres</i>
Residential	1,904
Planned Development	435
Low Density	20
Medium Low Density	350
Medium Density	585
Medium High Density	350
High Density	60
Very High Density	100
Very High/ Affordable	4
Neighborhood Commercial/ Affordable Housing	5
Commercial	27
Neighborhood Commercial	15
Village Commercial	7
Shopping Commercial	3.5
Office	1.5
Public/Quasi-Public	115
Open Space	810
Parks & Recreation	80
Angel Island State Park	725
TOTAL PLANNING AREA	3,666

Open Space designations are for lands which are set aside for natural resource protection, public health and safety, scenic qualities, and for passive recreation (such as hiking trails). These areas shall remain undeveloped.

2.3 GENERAL PLAN BUILDOUT

Table LU 2.3-1 provides the overall amount of development that would result from full build-out consistent with allowable density and intensity limits of the Land Use Element. The build-out figures assume that overall development will be less than 100 percent of the maximum allowable densities and intensities, given historical development patterns within the Planning Area.

The General Plan contains no prediction predict if or when build-out of the Plan may occur. Market forces, which will lead to the demand for new development within the Planning Area, are difficult to predict over a 15-year period.

Census 2000 reported the following household sizes for Tiburon:

TOTAL	2.31
Owner-occupied	2.45
Renter-occupied	1.97

Population and Housing

Buildout of the General Plan will result in approximately 5,045 housing units located within the Planning Area. Assuming approximately 2.2 persons per household, this would result in a buildout population of 11,195 in the Planning Area.

Employment

Buildout and redevelopment of commercial sites within the Planning Area would result in a 12% increase in square footage for a total of approximately 555,500 square feet of commercial space. The Tiburon Planning Area would employ approximately 3,700 people at buildout. Most jobs in the Planning Area will continue to be in the financial, professional, health, educational and recreational service sectors.

Table 2.3-1 General Plan Buildout

	<i>Housing Units</i>	<i>Population</i>	<i>Commercial Square Feet</i>	<i>Employees</i>
Town of Tiburon				
Existing (2004)	3,955 ¹	8,800 ¹	425,000	2,900 ²
Potential	220	485	56,000	180
Paradise Drive				
Existing (2004)	415 ³	905	0	0
Potential	140	320	0	0
Eagle Rock/Bay Vista				
Existing (2004)	280 ³	610	70,000	600 ²
Potential	35	75	4,500	20
TOTAL PLANNING AREA				
Existing (2004)	4,650	10,315	495,000	3,500
Potential	395	880	60,500	200
BUILDOUT	5,045	11,195	555,500	3,700
Sources: 1. California Department of Finance 2. ABAG Projections 2005 3. Based on Marin County Assessor Data				

2.4 LAND USE GOALS

- LU-A:** To provide an orderly balance of public and private land uses within convenient and compatible locations throughout the community.
- LU-B:** To protect the health, safety, and welfare of the community.
- LU-C:** To preserve the character of the Tiburon peninsula through control of the type and location of development.
- LU-D:** To ensure that all land uses, by type, amount, design, and arrangement, serve to preserve, protect and enhance the small-town residential image of the community and the village-like character of its Downtown commercial area.
- LU-E:** To propose future land uses within environmental constraints and consistent with Prime Open Space preservation and other General Plan policies, and the ability of the land and related infrastructure, streets, utilities, public services and other facilities to support such land uses.

- LU-F:** To preserve and protect Tiburon's views, scenic environment, natural beauty, and open space.
- LU-G:** To provide facilities that encourage use of the shoreline compatible with surrounding uses and consistent with balancing the objectives of preservation of shoreline resources while also maximizing public access to the waterfront where not in conflict with other public uses or with private uses which are of public benefit.
- LU-H:** To protect and preserve existing neighborhood character and identity.
- LU-I:** To encourage intensity of development, density, and house sizes/architectural styles that are consistent and compatible with surrounding neighborhoods.
- LU-J:** To address regional issues, such as transportation, schools, and water, through development review and in coordination with neighboring cities, the county, and other governmental entities.

2.5 LAND USE POLICIES

General Policies

- LU-1:** The Town shall provide for sufficient diversity of land uses such that public, quasi-public, recreational and shopping facilities are conveniently located and available to each resident of the community.
- LU-2:** The Town shall limit the type and amount of uses within the Town to those that are compatible with the nature, character and image of the Town as a quiet, small-town residential community with a village-like commercial area.
- LU-3:** The Town shall strive to preserve to the greatest extent feasible wildlife habitat in the open spaces, shoreline, marshes, mudflats, woodlands, and other biologically sensitive areas.
- LU-4:** Future land use decisions shall be consistent with the Land Use Diagram, Proposed Land Use. Densities and intensities specified in the Land Use Element are maximums (except for

state-mandated bonuses for affordable housing or other density bonuses specifically provided for in the Housing Element) that may not be achieved if other policies of the General Plan pertaining to environmental, physical or other constraints such as steep slopes, soil instability or limitations on necessary infrastructure require lower densities or intensities.

Residential Projects

The Town of Tiburon will continue to be primarily a residential community. New subdivisions will be developed within the Planning Area, new homes will be constructed, and existing homes will be substantially remodeled.

LU-5: New development shall be in harmony with adjacent neighborhoods and open spaces.

LU-6: The Town shall closely consider the environmental constraints of land and Prime Open Space preservation and other General Plan policies through the development review process in determining the location, type, and density and/or intensity of development.

LU-7: Development should be located on the least environmentally sensitive, including habitat in the open spaces, shoreline, marshes, mudflats, and other biologically sensitive areas, and least hazardous portions of the land wherever feasible to promote sound land development and planning practices. Special emphasis shall be placed on keeping significant ridgelines open and unobstructed to the maximum extent feasible.

LU-8: Sewer, water and other essential infrastructure improvements must be available to the developer to serve new development by the time of completion of construction. Developers shall participate in the funding of essential expanded infrastructure to the maximum extent allowed by law.

LU-9: The Town shall coordinate with urban service providers such as Marin Municipal Water District and the sanitary districts to ensure that they have the capacity to serve new development.

LU-10: If no other alternatives exist, then an investigation with appropriate tests shall be required to determine if the on-site soils are suitable for development of a septic system. In hillside areas, an evaluation of the additional water from a septic system on slope stability issues shall also be required. All new or improved septic systems shall be designed by a registered civil engineer that specializes in septic design.

LU-11: Property owners cherish their views. Development, new construction, and associated landscaping shall be so situated or kept low to interfere minimally with existing primary views.

LU-12: The Town shall encourage projects that enhance its character and image through the development and design review processes. Monotony in design, and massive or inordinately large or bulky structures and site coverage that overwhelm or that are inconsistent with the surrounding area, shall be avoided.



The Belveron neighborhood, as seen at Juno Rd. and Mercury Ave., has a distinct character.

LU-13: Neighborhood character, which is defined by the predominant architectural styles, type of buildings, building heights, mass, setbacks, landscaping, and natural characteristics, shall be of material consideration and preserved in all construction projects, including remodels and additions, to the

maximum extent feasible.

LU-14: The Town shall continue to rely on design guidelines, such as the *Design Guidelines for Hillside Dwellings*, the *Downtown Tiburon Design Handbook*, and the guiding principles for Site Plan & Architectural Review found in the Zoning Ordinance. Where subdivisions have approved design criteria, new construction shall conform to the criteria.

LU-15: Remodels, tear-down/rebuilds, and new construction shall be compatible with the design, size, and scale of existing dwellings in the surrounding neighborhood.

LU-16: Outside lighting shall be allowed for safety purposes. The Town shall limit excessive light spillover and glare resulting from site lighting.

LU-17: Re-subdivision of vacant legal lots and existing built-upon lots shall be discouraged unless the following criteria are met:

- a. Safe, convenient, and acceptable access and circulation can be provided, especially in areas where narrow, curving, or otherwise substandard streets predominate.
- b. All newly-created lots have a slope of less than 30 percent.
- c. Development would avoid ridgelines, knolls, or other prominently visible areas.
- d. Consistency with General Plan, Zoning, Subdivision and all other Town regulations is demonstrated.
- e. Proposed lot sizes and density are compatible with the surrounding pattern of development.
- f. Sensitive treatment of trees and other significant natural features can be achieved.
- g. All required infrastructure can be provided to the site.
- h. No driveway shall serve more than three units. A public or private roadway, meeting Fire District and Town standards, must be provided if more than three units are to be served.
- i. Sufficient on-site parking is provided.

LU-18: The Town shall support and work with neighborhood associations as a tool for increasing community participation and cooperation.

LU-19: The Town shall encourage home occupations in residential areas that are clearly incidental to primary residential uses and do not adversely affect the neighborhood.

LU-20: Residents and property owners are encouraged to actively pursue the



Utility wires, like these on Trestle Glen Blvd., continue to be a safety hazard and unsightly.

undergrounding of utility wires to promote safety, service reliability, and aesthetic benefits to the Town.

- LU-21:** Wireless service providers are strongly discouraged from locating their communications facilities in residential or open space areas, or near schools or day-care facilities.
- LU-22:** Wireless service providers shall be required to minimize the visual impacts of their communications facilities to the maximum extent feasible.

Commercial Areas

There are three commercial areas within the Planning Area, Downtown, the Cove Shopping Center, and the area near the U.S. 101 freeway. These areas provide services to residents of the community.

- LU-23:** The Town shall support a diversity of commercial uses to serve the shopping and service needs of the community.
- LU-24:** The Town shall encourage the addition of under-represented retail and service businesses to enhance shopping and service opportunities for Tiburon.
- LU-25:** Destination tourist facilities and commercial recreation uses shall be carefully regulated to preserve convenient use of commercial services, harbors, shorelines, local transportation, and parking facilities.

Waterfront

The Bay Conservation and Development Commission (BCDC) has jurisdiction over bay filling and dredging and shoreline development on the Bay and on a 100 foot band around the Bay. BCDC implements the *San Francisco Bay Plan* by issuing permits for Bay filling and dredging and shoreline development. With respect to shoreline development, the *Plan* calls for BCDC to “ensure that each new shoreline development increases public access to the Bay to the maximum extent feasible.”

- LU-26:** The Town recognizes and wishes to preserve its bay and waterfront as significant resources and shall closely consider the sensitivity of its coastal environment through the application

review process, and shall encourage maximum feasible public access to the waterfront, as called for in the San Francisco Bay Conservation and Development Commission's (BCDC) *San Francisco Bay Plan*, and where not in conflict with other public uses or with private uses which are of public benefit.

LU-27: The Town supports BCDC policies regarding "filling of the bay" and "shoreline public access" for land and water areas within BCDC's jurisdiction.

Annexation

The Tiburon Planning Area includes two distinct Annexation Areas, which are also within the Town's Sphere of Influence and currently within the County of Marin. See Diagram 2.5-1 for the location of the annexation areas.

The unincorporated area along **Paradise Drive** is an "island," referring to the fact that the area is surrounded on all sides by the incorporated Town of Tiburon. Paradise Drive remains the location of most of the undeveloped land on the Tiburon Peninsula. Properties along Paradise Drive are the most likely to be annexed to the Town of Tiburon, through application of the Dual Annexation Policy.

Dual Annexation Policy

To facilitate the orderly provision of urban services, the Marin LAFCO has adopted a Dual Annexation Policy, which states that when urban services are provided for unincorporated land, concurrent or subsequent annexation to a municipality is required if the land is located within the municipality's Sphere of Influence.

However, with annexation the cost of maintaining Paradise Drive would be an enormous drain on the Town's General Fund. Therefore, the Town will need the cooperation and assistance of the Marin LAFCO and the County of Marin to develop a financing plan which will guarantee the Town's financial ability to provide or maintain critical public services, including, but not limited to, road maintenance and adequate drainage facilities and other facilities for Paradise Drive.

The **Eagle Rock/Bay Vista** area connects the western boundary of Tiburon's corporate limits with U.S. Highway 101. With the exception of two multi-acre properties, this area is essentially built-out. Because the Eagle Rock/Bay Vista area is contained within the County of Marin

Strawberry Community Plan area, it is less likely that this area would be annexed to the Town of Tiburon.

LU-28: The Town shall, through rezoning and annexation processes, add land to the Town when such action will materially enhance the community or substantially further the goals and policies of the General Plan.



Paradise Drive is a narrow, winding road that is costly to maintain and represents a significant challenge to successful annexation of the area.

LU-29: The Town recognizes that the unincorporated Paradise Drive area is an “island” completely surrounded by the Town of Tiburon and that the area is functionally a part of Tiburon, and therefore supports the annexation of the area into Tiburon at such time as annexation is economically, procedurally, and otherwise viable.

LU-30: The Eagle Rock/Bay Vista area could provide benefits to Tiburon, including the accommodation of new affordable housing, additional commercial properties, and more direct influence regarding Tiburon Blvd./Highway 101 interchange issues. Therefore, the Town would consider annexation of this area during the planning period.

LU-31: Factors to be considered in annexation requests include: resident/property owner interest, cost/revenue and other fiscal implications, the nature and extent of necessary infrastructure, streets, parking, utilities and other facilities, and the feasibility of extending Town services to the annexation area without adversely affecting levels of service provided to current Town residents and property owners.

LU-32: Timing of annexation of property shall be determined, or recorded future annexation agreements shall be required early in the development review/entitlement process.

- LU-33:** Annexation requests may be processed by the Marin Local Agency Formation Commission (LAFCO) concurrently with development applications by the Town.
- LU-34:** The Town shall pre-zone property consistent with this General Plan when annexation is imminent or when the Town deems rezoning timely and appropriate.
- LU-35:** Where appropriate, the Town will make use of overlay zones or other zoning techniques to ensure that rezoning and annexation of existing established neighborhoods does not result in excessive creation of non-conforming structures, nor unreasonably disrupt the existing pattern of development of such a neighborhood.
- LU-36:** The Town supports the LAFCO's Dual Annexation Policy, including implementation through future annexation agreements when immediate annexation is not appropriate.

Inter-Agency Coordination

Actions of other agencies, such as the County of Marin and neighboring cities, may have an impact on planning issues within the Planning Area.

- LU-37:** The Town shall coordinate its land use and zoning plans with the County of Marin, Strawberry Community, the City of Belvedere, Town of Corte Madera, LAFCO, and other agencies and jurisdictions to provide for more effective comprehensive planning.
- LU-38:** The Town shall work constructively with LAFCO to retain an appropriate Sphere of Influence (SOI) for Tiburon.
- LU-39:** The Town shall work with the County of Marin to approve projects within the Tiburon Sphere of Influence that are consistent with the Town's policies and compatible with nearby land uses in Tiburon.
- LU-40:** The Town shall encourage the state to manage Angel Island State Park in a way that protects the natural character and preserves the historic resources of the island.

LU-41: The Town supports the Reed Union School District and the Tamalpais Union School District and encourages the provision of neighborhood-accessible school facilities.

Update of General Plan

LU-42: The Town shall review this General Plan periodically and shall revise the plan approximately every ten (10) to fifteen (15) years, or as necessary to ensure the relevance of its goals, policies, and programs; and to monitor progress in the implementation and effectiveness of the plan.

2.6 IMPLEMENTING PROGRAMS FOR LAND USE

LU-a: The Town shall periodically review and, if appropriate, revise its Municipal Code and other regulations to reflect the goals, policies, densities, intensities and the land use designations of this General Plan.

LU-b: The Town shall revise the Zoning Map as necessary to achieve consistency with the General Plan.

LU-c: The Town shall periodically revise its application forms, processing procedures, and development review procedures as necessary to reflect and implement the goals and policies of this General Plan.

LU-d: The Town shall periodically update its Public Facilities Fee regulations.

LU-e: The Town shall require that plans for new construction include a lighting plan for review as part of the Site Plan and Architectural Review process.

LU-f: The Town, in conjunction with LAFCO and the County of Marin, shall conduct a study to establish the true cost and other implications of annexing Paradise Drive and work to create with the County of Marin and LAFCO a viable financing plan which would make annexation of properties in the Paradise Drive area feasible and fiscally acceptable to the Town.

LU-g: The Town shall identify priority locations for the use of Rule 20A undergrounding funds.

LU-h: The Town shall review the plan periodically and revise and update the General Plan within 10 to 15 years of its adoption as deemed necessary.

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