



TOWN OF TIBURON  
Tiburon Town Hall  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Regular Meeting  
Tiburon Planning Commission  
January 26, 2011– 7:30 PM

## AGENDA TIBURON PLANNING COMMISSION

### CALL TO ORDER AND ROLL CALL

Chairman Frymier, Vice Chair Corcoran, Commissioner Doyle, Commissioner Kunzweiler, Commissioner Tollini

### ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on any subject not on the agenda may do so under this portion of the agenda. Please note that the Planning Commission is not able to undertake extended discussion, or take action on, items that do not appear on this agenda. Matters requiring action will be referred to Town Staff for consideration and/or placed on a future Planning Commission agenda. Please limit your comments to no more than three (3) minutes. Testimony regarding matters not on the agenda will not be considered part of the administrative record.

### COMMISSION AND STAFF BRIEFING

Commission and Committee Reports  
Director's Report

### PUBLIC HEARINGS

1. 40 MAIN STREET: CONDITIONAL USE PERMIT TO CONSTRUCT AN APPROXIMATELY 100 SQ. FT. ADDITION TO THE TIBURON PLAYHOUSE THEATRE AND TO ALLOW THE SERVING OF ALCOHOL FOR CONSUMPTION ON THE PREMISES; File #11001; Main Street Properties, Owner; David Corkill/Cinema West, Applicants; Assessor's Parcel No. 059-102-27 [DW]
2. ALTA ROBLES RESIDENTIAL DEVELOPMENT: 3825 PARADISE DRIVE; FILE #30701; CONSIDER RECOMMENDATIONS TO TOWN COUNCIL REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT AND APPLICATIONS FOR PREZONING AND PRECISE DEVELOPMENT PLAN FOR A 14-UNIT RESIDENTIAL PROJECT PROPOSED ON 52.12 ACRES; Planned Development #20; Irving and Varda Rabin, Owners and Applicants; Assessor Parcel Numbers 039-021-12 and 039-301-01 [DH]

MINUTES

3. PLANNING COMMISSION MINUTES – Regular Meeting of January 12, 2011

ADJOURNMENT

Future Agenda Items

a012611

700 Tiburon Boulevard: Belvedere Tennis Club Annual CUP Review (Feb. 9)  
Appeal of Incompleteness Determination by Vista Tiburon HOA (Feb. 9)  
Annual General Plan Implementation Status Report (Feb. 23)

## **GENERAL PUBLIC INFORMATION**

### **ASSISTANCE FOR PEOPLE WITH DISABILITIES**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division Secretary at (415) 435-7390. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

### **AVAILABILITY OF INFORMATION**

Copies of all Planning Commission Agendas, Staff Reports, and supporting data are available for viewing and inspection at Town Hall and at the Belvedere-Tiburon Library located adjacent to Town Hall. Agendas and Staff Reports are also available on the Tiburon website ([www.ci.tiburon.ca.us](http://www.ci.tiburon.ca.us)) after 5:00 PM on the Friday prior to the regularly scheduled meeting.

Any documents produced by the Town and distributed to a majority of the Planning Commission regarding any item on this agenda, including agenda-related documents produced by the Town after distribution of the agenda packet 72 hours in advance of the Commission meeting, will be available for public inspection at Town Hall, 1505 Tiburon Boulevard, Tiburon, CA 94920.

Upon request, the Town will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please deliver or cause to be delivered a written request (including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service) at least 5 days before the meeting to the Planning Division Secretary at the above address.

### **PUBLIC HEARINGS AND DISCUSSION ITEMS**

Public Hearings and Discussion Items provide the general public and interested parties an opportunity to give testimony on items typically involving an action or decision of the Commission. If you challenge any decision in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

### **GUIDELINES FOR TIME LIMITS ON PRESENTATIONS AND PUBLIC TESTIMONY**

The Planning Commission's general meeting procedure and time limit guidelines are as follows:

- ❖ Planning Division Staff Report – 5 to 10 minutes
- ❖ Planning Commission questions to staff
- ❖ Applicant's presentation – 10 to 20 minutes
- ❖ Public Testimony (depending on the number of speakers) – 3 to 5 minutes for each speaker. Members of the audience may not allocate their testimony time to other speakers.
- ❖ Time limits and procedures may be modified in the reasonable discretion of the Chairman.

Interested members of the public may speak on any item on the agenda

### **TIMING OF ITEMS ON AGENDA**

While the Planning Commission attempts to hear all items in order as stated on the agenda, it reserves the right to take items out of order. No set times are assigned to items appearing on the Planning Commission agenda.

**NOTE: ALL PLANNING COMMISSION MEETINGS ARE AUDIO RECORDED**

**TOWN OF TIBURON LATE MAIL POLICY**  
**(Adopted and Effective 11/7/2007)**

The following policy shall be used by the Town Council and its standing boards and commissions, and by staff of the Town of Tiburon, in the identification, distribution and consideration of late mail.

**DEFINITION**

“Late Mail” is defined as correspondence or other materials that are received by the Town after completion of the written staff report on an agenda item, in such a manner as to preclude such correspondence or other materials from being addressed in or attached to the staff report as an exhibit.

**IDENTIFICATION OF LATE MAIL**

All late mail received by Town Staff in advance of a meeting shall be marked “Late Mail” and shall be date-stamped or marked with the date of receipt by the Town. Late mail received at a meeting shall be marked as “Received at Meeting” with a date-stamp or handwritten note.

**POLICY**

For regular meetings of the Town Council and its standing boards and commissions:

- (1) All late mail that is received on an agenda item prior to distribution of the agenda packet to the reviewing authority shall be stamped or marked as “Late Mail” and shall be distributed to the reviewing authority with the agenda packet.
- (2) All late mail received on an agenda item before 5:00 PM on the Monday prior to the meeting shall be date-stamped and marked as “Late Mail” and distributed to the reviewing authority as soon as practicable. Such mail shall be read and considered by the reviewing authority whenever possible. If the Monday, or Monday and Tuesday, prior to the meeting are a Town-recognized holiday, the deadline shall be extended to the following day at Noon.
- (3) Any late mail received on an agenda item after the deadline established in paragraph (2) above shall be date-stamped, marked as “Late Mail” and distributed to the reviewing authority as soon as reasonably possible, but may not be read or considered by the reviewing authority. There should be no expectation of, nor shall the reviewing authority have any obligation to, read or consider any such late mail, and therefore such late mail may not become part of the administrative record for the item before the reviewing authority.

These provisions shall also apply to special and adjourned meetings when sufficient lead time exists to implement these provisions. If sufficient lead time does not exist, the Town Manager shall exercise discretion in establishing a reasonable cut-off time for late mail. For controversial items or at any meeting where a high volume of correspondence is anticipated, Town staff shall have the option to require an earlier late mail deadline, provided that the written public notice for any such item clearly communicates the specifics of the early late mail deadline, and the deadline corresponds appropriately to any earlier availability of the agenda packet.

Pursuant to state law, copies of all late mail shall be available in a timely fashion for public inspection at Tiburon Town Hall, 1505 Tiburon Boulevard, Tiburon.