



**TOWN OF TIBURON
PLANNING COMMISSION
1505 Tiburon Boulevard
Tiburon, CA 94920
Action and Approved Minutes
Regular Meeting
March 14, 2007 – 7:30 PM**

ACTION MINUTES

CALL TO ORDER AND ROLL CALL 7:30PM

Present: Chairman Fraser, Vice Chairman Aguirre, Commissioner Collins,
Commissioner O'Donnell
Absent: Commissioner Kunzweiler

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. ***There Were None***

COMMISSION AND STAFF BRIEFING

Staff Update
Commission Information Items

PUBLIC HEARING

1. MUNICIPAL CODE CHAPTER 16 (ZONING); VARIOUS TEXT AMENDMENTS: AMENDMENTS ARE PROPOSED FOR SECTIONS ADDRESSING FLOOR AREA RATIO, LOT COVERAGE AND BUILDING HEIGHTS IN THE NC AND VC ZONES; BUILDING HEIGHT MEASUREMENT METHOD; SKYLIGHTS; AND BASEMENT DEFINITION ***Recommended Approval to Town Council (4-0)***

DISCUSSION ITEMS

2. ANNUAL GENERAL PLAN STATUS REPORT FOR CALENDAR YEAR 2006
Forwarded Report to Town Council (4-0)

MINUTES

3. PLANNING COMMISSION MINUTES - REGULAR MEETING OF
JANUARY 10, 2007 *Amended as Written (3-0-1)*

ADJOURNMENT **8:05 PM**

**APPROVED MINUTES NO. 944
PLANNING COMMISSION
March 14, 2007
Regular Meeting
Town of Tiburon Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

CALL TO ORDER AND ROLL CALL

Chair Fraser called the meeting to order at 7:30 P.M.

Present: Chair Fraser, Commissioners Collins, Kunzweiler and O'Donnell

Absent: Commissioner Aguirre

Staff Present: Director of Community Development Anderson, Planning Manager Watrous, and
Minutes Clerk Hennessy

ORAL COMMUNICATIONS

None

COMMISSION AND STAFF BRIEFING

Director of Community Development Anderson announced he would be forwarding the final Kol Shofar approval resolution to the Commissioners. He also stated the Tiburon Glen Tentative Subdivision Map application was scheduled for discussion at the March 28th meeting and wanted to ensure there was a quorum since Commissioner Kunzweiler could not participate on that item.

PUBLIC HEARING

1. **MUNICIPAL CODE CHAPTER 16 (ZONING); VARIOUS TEXT
AMENDMENTS: AMENDMENTS ARE PROPOSED FOR SECTIONS
ADDRESSING FLOOR AREA RATIO, LOT COVERAGE AND BUILDING
HEIGHTS IN THE NC AND VC ZONES; BUILDING HEIGHT MEASUREMENT
METHOD; SKYLIGHTS; AND BASEMENT DEFINITION**

Community Development Planning Manager Watrous reviewed the staff report which outlined a few implementation policies and programs to achieve consistency with the General Plan. He also noted that several changes were proposed to other portions of the zoning ordinance to address issues raised at a previous Town Council/Design Review Board workshop and issues identified by staff in interpreting the zoning regulations.

The following amendments were considered:

- Changes to the floor area ratio, lot coverage and height limits in the NC and VC Zones to achieve consistency with language in the General Plan.
- A change to the method of measuring building height to exclude below grade building areas which are not visible.
- Adding the requirement that all skylights be bronzed or tinted and no lights placed in the wells to the Site Plan and Architectural Review requirements.
- Modifying the definition of “basement” to require that such areas are on one level vertically separated from other floor area.

The Chair opened the public hearing, and hearing no comments closed the public hearing.

Commissioner Kunzweiler asked about the emphasis in the General Plan on three-story buildings in the downtown area. Planning Manager Watrous stated that the General Plan called for a mix of two-story and three-story buildings and noted that it would take time for this blend of building heights to occur. Community Development Director Anderson added that the intent of this portion of the General Plan was to avoid discouraging good projects that would otherwise be inconsistent with the 30 foot height limit.

Chair Fraser asked if the increased height limit could result in potential view blockage issues. Planning Manager Watrous stated that any possible view impacts would be evaluated by the Design Review Board.

Commissioner O'Donnell remembered dealing with many of these issues during his time on the Design Review Board. He stated that issues with the height measurement method crop up frequently, and he felt that the proposed text change would provide needed clarification.

Commissioner Kunzweiler stated that the current basement definition is somewhat confusing, and he found the proposed amendment to be an improvement. He noted that this definition is important, as a number of recently approved residential projects include the potential for substantial basement area.

Commissioner Collins suggested that the text amendment for the basement definition be modified from the proposed “vertically separated” language to better reflect an elevation difference. Planning Manager Watrous recommended changing the proposed text from “vertically separated by at least one foot” to “with at least a one foot elevation difference.” It was the consensus of the Planning Commission that this change was appropriate.

M/S (Kunzweiler/Collins, passed 4-0) to adopt the resolution recommending to the Town Council adoption of amendments to the Tiburon Municipal Code (Chapter 16, Zoning), as amended.

DISCUSSION ITEMS

2. ANNUAL GENERAL PLAN STATUS REPORT FOR CALENDAR YEAR 2006

Director of Community Development Anderson explained the document for their review was basically the same as they approved in November with minor updates, but that State law now requires the review to be completed in April. He noted that the State is also in the process of adopting detailed rules that instruct cities and counties what information must be included in the Annual Status Report, starting in 2008. Staff's recommendation is to accept the report and forward it to the Town Council.

The Commissioners reviewed the priorities and Mr. Anderson stated most of the highest priorities had been accomplished as a condition for the State accepting the Housing Element as being in compliance with State law.

The Commissioners discussed reviewing the Capital Improvement budget and asked staff to provide them with a copy for their consideration and recommendations as part of this year's budget cycle.

The Chair opened the public hearing, and hearing no comments closed the public hearing.

The Commissioners were in agreement with the status report. Commissioner O'Donnell asked that Program PR-a to create a master plan for the community's recreational programming and facilities needs be moved to "Highest" priority, in light of the construction staging in Blackie's Pasture, the Landmarks Society proposal to designate the railroad berm as a historic landmark, and the upcoming Marin Municipal Water District construction along the path. Commissioner O'Donnell recommended that the Town hire a landscape architect to work on plans for improving the appearance of the Richardson Bay Lineal Park.

Chair Fraser stated he thought staff had done a yeoman's job of compiling their priorities. He noted it seemed linear rather than integrated document linked to the General Plan and asked staff if they might consider how this could be changed. He emphasized the importance of using this report as a budgeting tool.

M/S (Collins/O'Donnell passed 4-0) to direct staff to forward the report to the Town Council for acceptance.

MINUTES

3. PLANNING COMMISSION MINUTES - REGULAR MEETING OF JANUARY 10, 2007

M/S (Kunzweiler/O'Donnell passed 4-0) to approve minutes as submitted.

There was a brief discussion regarding the minutes and the previous discussion regarding Blackie's Pasture and the need to review the 1992 Blackie's Pasture Development Plan for possible amendment or retirement.

ADJOURNMENT

The meeting was adjourned at 8:05 P.M. in memory of Robert L. Kleinert who served the Town of Tiburon as City/Town Manager.

JIM FRASER, CHAIRMAN

ATTEST:

SCOTT ANDERSON, SECRETARY