



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

Action and Approved Minutes - Regular Meeting
Tiburon Planning Commission
February 23, 2011– 7:30 PM

ACTION MINUTES

TIBURON PLANNING COMMISSION

CALL TO ORDER AND ROLL CALL **7:30 PM**

Present: Vice Chair Corcoran, Commissioner Doyle, Commissioner Tollini

Absent: Chair Frymier, Commissioner Kunzweiler,

ORAL COMMUNICATIONS **There were none**

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

NEW BUSINESS

1. CONSIDER RECOMMENDATION TO THE TOWN COUNCIL REGARDING A ZONING ORDINANCE TEXT AMENDMENT THAT WOULD PROVIDE A ONE-YEAR TIME EXTENSION FOR APPROVED, UNEXPIRED DESIGN REVIEW PERMITS; TOWN COUNCIL INITIATED APPLICATION; File # MCA 2011-01 [SA] **Recommended Approval to Town Council (3-0)**
2. CONSIDER RECOMMENDATION TO TOWN COUNCIL TO ACCEPT THE ANNUAL GENERAL PLAN IMPLEMENTATION STATUS REPORT FOR CALENDAR YEAR 2010 [DW] **Recommended Acceptance to Town Council (3-0)**

3. ADOPTION OF RESOLUTION DENYING THE APPEAL OF DETERMINATION OF INCOMPLETENESS FOR A TREE PERMIT TO REMOVE EIGHTEEN (18) EUCALYPTUS TREES FROM COMMON OPEN SPACE PROPERTY; Vista Tiburon Homeowners Association, Owners and Applicants; Assessor's Parcel No. 038-450-21 **(Adopted (3-0))**

MINUTES

4. PLANNING COMMISSION MINUTES
Regular Meeting of January 26, 2011 **Approved as Amended (3-0)**
Regular Meeting of February 9, 2011 **Approved (3-0)**

ADJOURNMENT **7:55 PM**

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PLANNING COMMISSION
MINUTES NO. 1007
February 23, 2011
Regular Meeting
Town of Tiburon Council Chambers
1505 Tiburon Boulevard, Tiburon, California

CALL TO ORDER AND ROLL CALL

Vice-Chair Corcoran called the meeting to order at 7:30 p.m.

Present: Vice-Chair Corcoran; Commissioners Doyle and Tollini

Absent: Chair Frymier and Commissioner Kunzweiler

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

ORAL COMMUNICATIONS None

COMMISSION AND STAFF BRIEFING

Planning Manager Watrous reported that the Town Council generally denied both appeals on the CVS application and affirmed the Planning Commission's decision, but added several conditions of approval. He also said that the Alto Robles applicants have indicated that the project would not be ready to return for the March 9, 2011 meeting. He asked about the availability of Commissioners to attend the April 13, 2011 meeting for that item. Vice-Chair Corcoran, Commissioner Doyle, and Commissioner Tollini all indicated their availability.

Director of Community Development Anderson reported that the Town Council approved the land use permits for the recreation facility on Ned's Way and now it is a question of whether the

Council will fund the project. He noted that the Downtown Vibrancy program is also underway and a community-wide workshop will be held on March 10th from 6:30-9:30pm at Tarantino Hall at Saint Hilary Church.

NEW BUSINESS

4. CONSIDER RECOMMENDATION TO THE TOWN COUNCIL REGARDING A ZONING ORDINANCE TEXT AMENDMENT THAT WOULD PROVIDE A ONE-YEAR TIME EXTENSION FOR APPROVED, UNEXPIRED DESIGN REVIEW PERMITS; TOWN COUNCIL INITIATED APPLICATION; File # MCA 2011-01

Mr. Anderson said that this item was discussed by the Town Council at the recent Town Council Staff retreat, and the Council gave direction to staff to move forward with preparation and processing of an ordinance extending design review approvals. Due to the continuing poor economy, this ordinance would grant an automatic one-year extension of existing, unexpired Design Review approvals. He noted that Design Review approvals are the only frequently issued planning permits that expire without the possibility of applying for a time extension. He said that this ordinance would extend any Design Review approval made since May 2008.

Commissioner Tollini asked if any consideration was given to extend the building permit expiration date as well. Mr. Anderson said that there are multiple extensions possible for building permits. Mr. Watrous noted that Design Review time limits can lapse without any work on the project, whereas the building permit is pulled only when construction is about to begin.

Commissioner Doyle asked how this affects projects for which construction has already been started. Mr. Watrous said that anyone who has already received the building permit does not need a Design Review extension, but if they have not done enough to vest the building permit, and they allow both the Design Review and building permit to expire, then they must start the entire process over.

Vice-Chair Corcoran open and closed the public hearing as there was no one wishing to speak.

Commissioners Doyle and Tollini supported adoption of the time extension ordinance. Vice-Chair Corcoran noted the effect of the additional one-year extension could cause additional political pressure on the Town Council for further extensions, but he supported the resolution.

ACTION: It was M/S (Tollini/Doyle) to adopt the Resolution as drafted. Motion carried: 3-0.
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2. CONSIDER RECOMMENDATION TO TOWN COUNCIL TO ACCEPT THE ANNUAL GENERAL PLAN IMPLEMENTATION STATUS REPORT FOR CALENDAR YEAR 2010

Mr. Watrous stated that State law requires cities and towns to prepare an annual report dealing with the status of its General Plan. Tiburon's General Plan was last reviewed in March, 2010. He stated that there had been some progress on the plan, especially in those areas regarding the adoption of the updated zoning ordinance and the Open Space Management Plan. He asked the Planning Commission to review the report and make any recommendations.

Vice-Chair Corcoran opened the floor to public comments, but no one wished to speak.

Commissioner Tollini asked how the ongoing priorities have been categorized as higher or lower. Mr. Anderson said that there is variation from program to program in terms of priority, and it depends on levels of commitment, resources and needs. Commissioner Tollini noted no progress has been made on some high priority items such as the bicycle improvements at the Mar West Street/Tiburon Boulevard intersection. Mr. Watrous responded that at times the easier projects are completed before the more complex projects, even though they are a lower priority, as it can sometimes take longer to deal with multiple jurisdictions and more expensive projects. Mr. Anderson added that these improvements were essentially tied to future signalization of the intersection, which did not yet meet any Caltrans warrants for signalization, and were probably still many years away from completion.

Commissioner Tollini requested clarification of the housing unit totals in the Housing Element portion of the document. Watrous responded that he would clarify the unit totals in the document.

Vice-Chair Corcoran asked about the issue of preferential parking for residents to be established by the Town. Mr. Anderson said that this issue has been raised as part of the ongoing Downtown Vibrancy process and may be explored further as that process moves forward.

ACTION: It was M/S (Doyle/Tollini) to recommend that the Town Council accept the Annual General Plan Implementation Status Report, as amended. Motion carried: 3-0.

3. ADOPTION OF RESOLUTION DENYING THE APPEAL OF DETERMINATION OF INCOMPLETENESS FOR A TREE PERMIT TO REMOVE EIGHTEEN (18) EUCALYPTUS TREES FROM COMMON OPEN SPACE PROPERTY; Vista Tiburon Homeowners Association, Owners and Applicants; Assessor's Parcel No. 038-450-21

There were no public comments.

ACTION: It was M/S (Tollini/Doyle) to adopt the resolution as drafted. Motion carried: 3-0.

5. PLANNING COMMISSION MINUTES – Regular Meetings of January 26, 2011 and February 9, 2011

Commissioner Tollini referred to the minutes of January 26, 2011, and noted a typographical error in the last paragraph on page 1. It should read "...Tiburon Playhouse movie theaters..." instead of "...Tiburon Playhouse movies theaters..."

ACTION: It was M/S (Doyle/Tollini) to approve Minutes No. 1005 of the January 26, 2011 meeting, as amended. Motion carried: 3-0.

ACTION: It was M/S (Doyle/Tollini) to approve Minutes No. 1006 of the February 9, 2011 meeting, as drafted. Motion carried: 3-0.

ADJOURNMENT

The Planning Commission adjourned the meeting at 7:55 p.m.

JOHN CORCORAN, VICE-CHAIR
TIBURON PLANNING COMMISSION

ATTEST:

SCOTT ANDERSON, SECRETARY (ACTING)