

RESOLUTION 2006-XX

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE TOWN OF TIBURON DESIGNATING THE DIRECTOR OF COMMUNITY
DEVELOPMENT AS THE ACTING BODY FOR LARGE FAMILY DAY CARE HOME
APPLICATIONS WHEN NO HEARING IS REQUESTED**

WHEREAS, California Health and Safety Code Section 1597.46 sets forth certain procedures and limitations for local government review of applications for large family day care homes as defined in Section 1596.78 of said code; and

WHEREAS, said procedures allow the planning agency, which in the Town of Tiburon is the Planning Commission, to designate the person or persons to review and decide applications for large family day care homes; and

WHEREAS, Health and Safety Code section 1597.46(a)(3) requires that no hearing be held on such applications unless requested by the applicant or other affected person; and

WHEREAS, the Town of Tiburon therefore needs to establish an acting body for any such applications where a hearing is not requested; and

WHEREAS, it is expressly set forth that in those instances where a hearing is requested, the acting body shall be the Tiburon Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the Town of Tiburon does hereby designate the Director of Community Development to review and act upon applications for large family day care homes where no hearing is requested by the applicant or other affected person following provision of notice as set forth in state law.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the Town of Tiburon held on February 22, 2006, by the following vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:

JOHN KUNZWEILER, CHAIRMAN
Tiburon Planning Commission

ATTEST:

SCOTT ANDERSON, SECRETARY